

Sūrah Al-Mā'idah

(The Repast)

[This Sūrah is Madinite (Madanī). It has 120 Verses and 16 Sections]

Verse 1

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
يَا أَيُّهَا الَّذِينَ آمَنُوا أَوْفُوا بِالْعُقُودِ أُحِلَّتْ لَكُم بَهِيمَةُ الْأَنْعَامِ
إِلَّا مَا يُتْلَى عَلَيْكُمْ غَيْرَ مُحِلِّي الصَّيْدِ وَأَنْتُمْ حُرْمٌ إِنَّ اللَّهَ
يَحْكُمُ مَا يُرِيدُ ﴿١﴾

With the name of Allah, the All-Merciful, the Very-Merciful.

O those who believe, fulfill the contracts. The cattles have been made lawful for you, except that which shall be recited (mentioned) to you, provided that you do not treat hunting as lawful while you are in Ihram. Surely, Allah ordains what He wills. [1]

Background of revelation and a summary of subjects

This is the initial verse of Sūrah al-Mā'idah. As agreed upon, Sūrah al-Mā'idah is a Madanī (Madinite) Sūrah and also the last among all Madanī Chapters (Sūrah) so much so that some revered elders have identified this as the last Sūrah of the Qur'an itself. On the authority of narrations from Sayyidnā 'Abdullāh ibn 'Umar and Sayyidah Asma' bint Yazīd, it appears in the Musnad of Aḥmad that Sūrah al-Mā'idah was revealed to the Holy Prophet صلى الله عليه وسلم while in travel riding the she-camel named 'Aḍbā'. As explained in the introduction to this *Tafsīr* in Volume 1, there used to be a sense of being under some heavy weight, extraordinary and unexplained, at a time the *Waḥy* (revelation) came to the Holy Prophet صلى الله عليه وسلم. So, this is what happened as customary. When the she-camel could bear the phenome-

non of unusual weight no more, he dismounted from her back. This journey is obviously the journey he made to perform his last Ḥajj as supported by some relevant reports. The Last Ḥajj took place in the tenth year of *Hijrah*. After his return from there, his blessed life in the mortal world lasted for about eighty more days. In al-Baḥr al-Muḥīṭ, commentator Ibn Ḥayyān has said that some portions of Sūrah al-Mā'idah were revealed during the journey of Ḥudaybiyah, some others during the journey of the Conquest of Makkah and still others during the journey of the Last Ḥajj. This tells us that Sūrah al-Mā'idah has been revealed during the final stages of the revelation of the Qur'an - though, it may not be the very last Sūrah.

Rūḥ al-Ma'ānī on the authority of Abū 'Ubaydh, cites a narration of ibn Ḥabīb and 'Aṭīyyah ibn Qays رضى الله عنهم اجمعين in which the Holy Prophet ﷺ has been reported to have said:

المائدة من آخر القرآن تنزيلا فاحلوا حلالها وحرموا حرامها

Sūrah al-Mā'idah is from what has been revealed towards the last stage of the revelation of the Qur'an. So, take what has been made lawful there as lawful for ever and take what has been made unlawful there as unlawful for ever.

Referring to Mustadrak al-Ḥākim, Ibn Kathīr cites a similar narration from Sayyidnā Jubayr ibn Nufayr in which he has been reported to have called upon Sayyidah 'Ā'ishah رضى الله عنها soon after Ḥajj. She asked him: "Do you read Sūrah al-Mā'idah, O Jubayr?" He submitted: "I do." Sayyidah 'Ā'ishah then said: "This is the last Sūrah of the Holy Qur'an. The injunctions about things lawful and unlawful in it are *Muḥkam* (of established meaning). The probability of any abrogation (*Naskh*) does not exist there. So, be specially particular about them."

Like Sūrah Al-Nisā', Sūrah al-Mā'idah too carries many subsidiary injunctions relating to dealings and contracts. Accordingly, Rūḥ al-Ma'ānī notices subject homogeneity in Sūrah al-Baqarah and Āl-'Imrān because both of them mostly feature injunctions relating to Principles, Doctrines, Unicity, Prophethood, Doomsday and similar other basic concerns of importance. As for subsidiary injunctions, they appear there as corollaries. Regarding Sūrah al-Nisā' and Sūrah al-Mā'idah, it can be said that they are homogeneous subject-wise because both of

them describe subsidiary injunctions. Any description of basic principles appears there by implication. In Sūrah al-Nisā', emphasis has been laid on mutual dealings, particularly on rights servants of Allah have on each other (*Huqūq al-'Ibād*). Then, in it, there are details of the rights of the husband and the wife, the rights of orphans and the rights of the parents and other relatives. In the very first verse of Sūrah al-Mā'idah, there appears the instruction to stand by all dealings made and pledges given. The words of the Verse: *يَا أَيُّهَا الَّذِينَ آمَنُوا أَوْفُوا بِالْعُقُودِ* (O those who believe, fulfill the contracts) command that all such commitments must be met. Therefore, Sūrah al-Mā'idah is also referred to as Sūrah al-'Uqūd (Al-Baḥr al-Muḥīṭ).

This Sūrah, specially its opening verse, has a special bearing on matters relating to mutual dealings and contractual agreements. Therefore, when the Holy Prophet صلى الله عليه وسلم sent Sayyidnā 'Amru ibn Ḥazm as the 'Āmil (Governor) of Yaman, he gave him a written decree of appointment at the head of which he had this verse written (Al-Baḥr al-Muḥīṭ).

Commentary

The first sentence of the first verse of this Sūrah is so comprehensive that its proper discussion would deservedly go beyond thousands of pages. In fact, Muslim scholars and jurists have done exactly that. The verse says: *يَا أَيُّهَا الَّذِينَ آمَنُوا أَوْفُوا بِالْعُقُودِ* (O those who believe, fulfill the contracts). Here, the very form of address: *يَا أَيُّهَا الَّذِينَ آمَنُوا* (O those who believe ...) helps to divert attention to the very crucial nature of the subject for the command being given here is centrally required by one's faith. Then comes the command: *أَوْفُوا بِالْعُقُودِ* (fulfill the contracts). The word, 'al-'uqūd', used in the Qur'ān is the plural form of *al-'aqd*, the literal meaning of which is to tie. A contract which ties two individuals or groups to each other is also known as 'aqd. Thus, *al-'uqūd* takes the meaning of *al-'uhūd* or contracts.

Commentator Ibn Jarīr has reported the consensus of revered exegetes among the *Ṣaḥābah* and *Tābi'īn* on this approach. Imām al-Jaṣṣaṣ explains that 'aqd (contract) or 'ahd (pledge) or *Mu'āhadah* (pact) are all applied to a transaction in which two parties have placed the responsibility of doing or not doing something on each other and to which both of them agree and are bound by. According to our recog-

nized practice, this is what a contractual agreement is. Therefore, the essential meaning of the sentence is: Take the fulfilling of mutual contracts to be binding and necessary.

Now, we have to determine the nature of contracts meant here. The interpretations of commentators appear to be different, though outwardly only. Some say that it refers to the Covenant of Allah under which His created beings are bound to believe in and obey Him, or they refer to pledges Allah has taken from His created beings regarding His revealed injunctions of things lawful and unlawful. This is what has been reported from Sayyidnā Ibn 'Abbās رضى الله عنه. Others say that here it means the contracts people enter into with each other, such as, the Contract of Marriage and the Contract of Buying and Selling. Commentators Ibn Zayd and Zayd ibn Aslam have taken this very line of interpretation. Still others take contracts to mean sworn alliances and pacts which the tribes of *Jāhiliyyah* entered into with each other for mutual assistance when needed. This is also the position taken by Commentators such as Mujāhid, Rabi' and Qatādah. But, the truth is that there is no contradiction or difference in what they have said. Instead, all these varied contracts come under the Qur'ānic word, "*al-'uqūd*", appearing in this verse and the instruction to fulfill all of them comes from the Qur'ān itself.

Therefore, Imām Rāghib al-Isfahānī has said that all kinds of contracts and binding agreements are included under the imperative of this word. He further divides these into three kinds as given below:

1. The Covenant which human beings have with their Creator who is Lord of all the worlds, such as, the pledge to believe in Him, to obey Him, or to observe the restrictions imposed by Him on matters and things lawful and unlawful.

2. The vow or promise or commitment one enters into with one's own self, such as, to commit to fulfill a vow (*nadh'r*) for something, or to bind oneself on oath that something will be done.

3. The contract that one human being enters with another which includes all contracts which bind two persons or two groups or parties or governments.

So, in the light of this verse, strict adherence to all permissible pro-

visions and conditions which have been mutually agreed upon is mandatory and all parties must observe and fulfill these. This covers all international pacts and treaties between governments, bilateral agreements, all commitments, alliances, charters between groups and parties, also all sorts of contracts and deals between two human beings ranging from marriage, business, partnership, leasing, gift deed to many other bi-partite human dealings. Please note that the restriction of 'permissible' imposed a little earlier has a reason, for entering into a contract against the dictates of the Shari'ah, or accepting it, is not permissible for anyone.

The Logic of the Lawful

After the initial declaration of the general rule in the first sentence of the verse, its particular details appear in the second sentence where it has been said: *أُحِلَّ لَكُمْ بِهِئِهِ الْأَنْعَامُ* (The cattle have been made lawful for you ...). The word, '*bahimah*' (بهيمة) used here is applied to animals usually considered to be devoid of understanding because people usually do not understand their speech which thus remains obscure. Imām al-Sha'rānī says: The name '*bahimah*' is not given to an animal just because it has no sense and everything sensible remains obscure for it - as people commonly think. But, the truth is that no animal or beast, not even trees and rocks, can be taken to be devoid of sense as such - of course, subject to the difference in its degrees. They do not have the same measure of sense as human beings do. This is the reason why human beings have been obligated to observe the percepts and injunctions revealed for them. Animals have not been so obligated, otherwise Allah has given to every animal sense and awareness within the limits of its needs - even to all trees and rocks, for that matter. This is why everything glorifies Allah in its own way: *وَلَا تَرَى شَيْئًا إِلَّا يُسَبِّحُ بِحَمْدِهِ*: That is, 'there is nothing which does not but glorify Him with His praise' (17:44). How then, without sense, would it have ever recognized its creator and master and how would it have, thus, been able to engage in the act of glorifying Allah?

The word, '*al-An'am*', used in the text is the plural form of *na'am* (grazing livestock). Eight kinds of domestic animals or cattles such as the camel, the cow, the buffalow, the goat which have been described in Sūrah al-An'am are called the An'am. Since the word, '*bahimah*'

(animal) was general, the word, 'Al-An'ām' (the cattle) has made it particular. So, the meaning of the verse comes to be that 'eight kinds of domestic animals have been made lawful for you.' Under the discussion about the word, 'al-'uqūd', you have already read a little earlier that it includes all kinds of contracts. One of these is the pledge Allah Almighty has taken from His created beings that they would observe the restrictions of the lawful and the unlawful. The present sentence is referring to this particular pledge when it says that Allah has made the cattle lawful for you and they can be eaten after having been slaughtered in accordance with the Islamic manner.

Thus believers have been exhorted to obey this injunction by staying within its limits. They should not take it upon themselves, as do the fire-worshippers and the idolators, to declare the very slaughter of these animals as absolutely unlawful, for this is raising an objection against the wisdom of the Creator and certainly an open ingratitude for His blessing. Nor should they become like some other meat-eating people who would, totally unfettered, go about eating all sorts of animals. Rather than do something like that, believers must eat from animals Allah Almighty has made lawful to eat under the Law given by Him. Similarly, they should abstain from animals which have been declared unlawful to eat. The reason is that Allah Almighty is the Creator of the Universe. He knows the nature and the properties of all animals and He is also aware of the effects they bring about when in the human body. He, in His grace, makes what is good and pure openly lawful for human consumption, things which leave no ill effects on physical health and moral strength. Similarly, He forbids unclean and impure animals which are either harmful for human health or contribute metabolically into the generation of evil morals. Therefore, there are a few things exempted from this general rule. These are as follows:

1. The first exemption is contained in: إِلَّا مَا بَيَّنَّا عَلَيْكُمْ It means: Except animals which have been declared unlawful in the Qur'an, that is, dead animal or the swine.

2. The other exemption appears in: غَيْرِ مُجْلَى الصَّيْدِ وَأَنْتُمْ حُرْمٌ . It means: Quadruped animals are lawful for you and wild game too. But, in the state when you have entered into the garments of *Ihrām* with the in-

tention of doing Hajj or 'Umrah, hunting becomes a crime and sin. Stay away from it.

Living under the Authority and Wisdom of the Creator

Towards the end of the verse, it was said: **إِنَّ اللَّهَ يَحْكُمُ مَا يُرِيدُ** which means that Allah Almighty ordains what He wills. Nobody has the right to ask questions or take exception in obeying it. This statement is perhaps indicative of an element of wisdom - that the permission given to human beings to slaughter and eat some animals is no act of injustice. The Creator and Master who has made all these life forms is also the One who has formulated, in His perfect wisdom and insight, the law that the lower form shall be the sustenance of the higher. The soil of the earth is food for trees and trees are food for animals and animals are food for human beings. There is no higher form of creation in this world, therefore, human beings cannot become food for anyone.

Verse 2

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَحْلُوا شَعَائِرَ اللَّهِ وَلَا الشَّهْرَ الْحَرَامَ وَلَا
الْهَدْيَ وَلَا الْقَلَائِدَ وَلَا أَمِينَ الْبَيْتِ الْحَرَامِ يَبْتَغُونَ فَضْلًا مِّنْ
رَّبِّهِمْ وَرِضْوَانًا وَإِذَا حَلَلْتُمْ فَاصْطَادُوا وَلَا يَجْرِمَنَّكُمْ شَنَا
نُ قَوْمٍ أَن صَدُّوكُمْ عَنِ الْمَسْجِدِ الْحَرَامِ أَن تَعْتَدُوا وَتَعَاوَنُوا
عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ
وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ ﴿٢﴾

O those who believe, do not violate (the sanctity) of the Marks of Allah, nor of the sacred month, nor of the sacrificial animal, nor of the garlands, nor of those proceeding to the Sacred House, seeking the grace of their Lord, and Pleasure. When you are out of Ihram, you may hunt. And malice against a people for their having prevented you from al-Masjid al-Haram, should not cause you to cross the limits. Help each other in righteousness and piety, and do not help each other in sin and aggression. And fear Allah. Surely, Allah is severe at punishment. [2]

Linkage of Verses

The first verse of Sūrah al-Mā'idah emphasized the fulfillment of contracts. Included among these contracts is the contract or pledge to abide by the restrictions of the lawful and the unlawful as ordained by Allah Almighty. The second verse cited here describes two important articles of this contract. The first relates to the sanctity of the signs, symbols or hallmarks of Allah with the specific instruction to stay away from desecrating them. The second article recommends an even-handed dispensation of justice to everyone, your own or not your own, friend or foe, which has been combined with a corresponding prohibition of any counter injustice inflicted in return for some injustice done.

Background

There are some events which form the background of the revelation of these verses. Let us go to them first so that the subject of the verse becomes fully clear to us. One of these is the event of Hudaibiyah the details of which have been taken up by the Holy Qur'ān elsewhere. This relates to the sixth year of Hijrah when the Holy Prophet ﷺ and his noble Companions decided to perform 'Umrah.

The Holy Prophet ﷺ entered into the *Ihrām* of 'Umrah with more than one thousand of his Companions and left for Makkah al-Mu'azzamah. After having reached Hudaibiyah close to Makkah al-Mu'azzamah, he sent a message to the Makkans that he was coming in with his group to perform 'Umrah and not for any aggressive designs. He requested that they be allowed to perform 'Umrah. The disbelievers of Makkah, not only that they refused it, they put forward many hard conditions and challenged them to agree to a treaty which stipulated that all Muslims will undo their *Ihrām* they were in at that time and go back. When they come next year to perform their 'Umrah, they would be required to come without any arms, stay for three days only, perform 'Umrah and leave. Besides these conditions, there were many others agreeing to which was obviously very much against the self-respect of Muslims. But, obeying the orders of the Holy Prophet ﷺ, everyone returned in peace. After that, it was in the month of Dhu-al-Qa'dah of the Hijrah year 7 that this missed 'Umrah was performed again with full observance of the conditions imposed under the Treaty.

However, the events at Hudaibiyah and the insulting conditions

imposed there had planted seeds of discord in the hearts of the Companions against the disbelievers of Makkah. Then there came up the other incident when Ḥatīm ibn Hind, one of the disbelievers of Makkah, came to Madīnah al-Tayyibah with his trading goods. After having sold his goods, he left his baggage and his attendant outside Madīnah and came to visit the Holy Prophet صلى الله عليه وسلم and expressed his desire to enter the fold of Islam, in all hypocrisy, so that Muslims are satisfied. But, the Holy Prophet صلى الله عليه وسلم had, well before he came to him, told his Companions on the strength of revelation that a man was coming to them who would talk in the words of the Satan. And when he went away, he said that the man came with disbelief and returned with deception and treason. Leaving the company of the Holy Prophet ﷺ, this man went straight out of Madīnah where the livestock of the people of Madīnah were grazing. He drove them away with him. The noble Companions came to know about this somewhat late. When they went out after him, he was gone out of their reach. Then it was in the seventh year of Hījah, when they were going with the Holy Prophet ﷺ to perform the *Qaḍā'* of 'Umrah they had missed at Ḥudaybiyah, they heard someone reciting Talbiyyah at some distance. When they looked, they discovered that the same Ḥatīm ibn Hind who had decamped with the animals belonging to the people of Madīnah was right there going for 'Umrah with the same animals going with him as sacrificial animals. At that time, the noble Companions thought of attacking him and taking their animals back by killing him off right there.

The third event came to pass in the eighth year of Hījah when Makkah al-Mukarramah was conquered in Ramaḍān al-Mubārak and the entire Arabian peninsula came under Islamic rule. The disbelievers of Makkah were set free by the Holy Prophet صلى الله عليه وسلم without any revenge. They went about doing everything they used to do with complete freedom to the extent that they even kept observing their pagan customs of Ḥajj and 'Umrah too. At that time some noble Companions thought of taking their revenge for what had happened at Ḥudaybiyah. These people had stopped them from doing 'Umrah to which they were entitled on all counts, as permissible and justified. Why, they thought, should they now allow their Ḥajj and 'Umrah on any count which were all impermissible and unjustified? Why not attack

them, take their animals and finish them off?

These events have been narrated by Ibn Jarīr on the authority of 'Ikrimah and al-Suddi. It was on the basis of some of these events that the present verse was revealed. Through it, Muslims were told that holding the signs of Allah in esteem was their own bounden duty. Malice and hostility against an enemy was no reason to disturb this standing rule. This was absolutely impermissible. Even fighting during the sacred months was not permissible. Also not permissible was stopping sacrificial animals from reaching the Hāram or taking them away forcibly. As for the disbelievers who have donned the *Ihram* garments and who, in their estimation, have embarked on their pilgrimage to seek the good pleasure of Allah Almighty (though, because of their disbelief, this is a mistaken notion, yet) the sanctity of the signs of Allah demands that they should not be confronted in any way. Then there was the case of people who had stopped Muslims from performing their 'Umrah. Any effort to avenge their past hostility against Muslims in the form of Muslims stopping them from entering into Makkah or from performing their rites of Hajj was not permissible. This is so because this amounts to Muslims doing an injustice in return for an injustice to them which was not permissible in Islam. We can now go to a detailed explanation of the verse.

Commentary

The first sentence of the Verse says: **يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَحْلُوا شَعَائِرَ اللَّهِ** (O those who believe, do not violate [the sanctity of] the Marks of Allah). Here the word, *Sha'ā'ir* has been translated as 'Marks.' This is the plural form of *Sha'īrah* which means mark, sign or symbol. Therefore, *Sha'ā'ir* and *Sha'īrah* signify things perceptible through the senses which symbolize something. As such the Marks (*Sha'ā'ir*) of Islam would be deeds and actions recognized as symbolic of one's being Muslim in faith. These are quite common such as *Salāh*, *Adhān*, Hajj, Circumcision and Beard in accordance with the *Sunnah*. The *Tafsīr* or explanation of the Qur'anic expression **شَعَائِرَ اللَّهِ** (*Sha'ā'irullāh*: The Marks of Allah) as it appears in this verse has been reported in varying words. But, the clearest of them is what has been reported from Ḥasan al-Baṣrī and 'Atā' on whom both be the mercy of Allah. Imām al-Jaṣṣaṣ finds their statement as a compedium of all explanations. According

to this statement, "*Sha'a'irullah*" means all obligations the limits of which have been set forth by the Shari'ah of Islam. In this verse, the essence of the meaning is that one should not violate the sanctity of the marks of Allah. One form of such violation could be a total dismissal of what one has been obligated with. Under the second form, one may act in accordance with these obligations by electing to obey some injunctions and leave out others ending up with a compliance which remains incomplete. A third form could be that one starts transgressing the appointed limits and keeps going farther beyond. The Qur'anic statement: لَا تُحِلُّوا شَعَائِرَ اللَّهِ (do not violate [the sanctity of] the Marks of Allah) forbids all these three forms.

The Holy Qur'an gives the same instruction elsewhere in a different mode as follows:

وَمَنْ يُعَظِّمِ شَعَائِرَ اللَّهِ فَإِنَّهَا مِنْ تَقْوَى الْقُلُوبِ

And whoever exalts the Marks of Allah, then this is from the fear of Allah in hearts. (22:32)

The part of the sentence which follows in the verse under study gives details of a particular kind of the Marks of Allah, that is, the Marks that concern the rites of Hajj.

The text says:

وَلَا الشَّهْرَ الْحَرَامَ وَلَا الْهَدْيَ وَلَا الْقَلَائِدَ وَلَا أُمُيْنِ الْبَيْتِ الْحَرَامَ يَبْتَغُونَ
فَضْلًا مِنْ رَبِّهِمْ وَرِضْوَانًا

It means: Do not violate its sanctity by fighting and killing during the months in which it is prohibited. This refers to the four months during which mutual fighting was legally prohibited. They are Dhul-Qa'dah, Dhul-Hijjah, Muharram and Rajab. Later on, this injunction was abrogated as agreed under the overwhelming consensus of 'Ulamā'. In addition to this, command was given that there should be no violation of the sanctity of sacrificial animals within the Haram of Makkah, specially of the band round their necks placed there as a symbol of sacrifice. One form of violating the sanctity of these animals could be that they are stopped from reaching the Haram or are snatched away. The second form could be that of using the animals for a purpose other than sacrifice, such as using them to ride or milk. The

verse has declared all these form as impermissible.

The text then prohibits the violation of the sanctity of those who have left their homes to embark on a journey to *al-Masjid al-Harām* with the intention of performing Ḥajj - for their purpose on this journey is to seek the blessing and pleasure of their Lord. Not violating the sanctity of such people means that they should neither be stopped during their journey nor should any pain be caused to them.

After that it was said: *وَأَنكَلْنَاهُمْ فَاَصْطَادُوا*. It means: And when you get released from the *Ihrām*, you may hunt. In other words, the limit of the prohibition of hunting during the state of *Ihrām* appearing in the first verse has been declared by saying that your release from the *Ihrām* neutralizes the in-*Ihrām* prohibition of hunting which has now become permissible.

Being deliniated in the verse under reference is a particular part of the contract which is operative between every human being and the Lord of all the worlds. Some of it has already been identified upto this point. The first out of these is the instruction to uphold the inviolable dignity of the Marks of Allah as sacrosanct and to guard against any chances of their being desecrated. Then come some details concerning the Marks of Allah which belong to Ḥajj. Here, the instruction given is that nothing should be done to stop them and that effort should be made to stay away from any action which desecrates them.

The statement which follows after that takes up the second part of the contract in the following words: *وَلَا يَجْرِمَنَّكُمْ شَنَاٰنُ قَوْمٍ أَن صَدُّوكُمْ عَنِ الْمَسْجِدِ الْحَرَامِ أَن تَعْتَدُوا*. It means: There were those people who had stopped you from entering Makkah and performing your 'Umrah and after that event at Hudaibiyah, you were returning all sad and angered. Now that you have power in your hands, let things not turn in a way that you start taking revenge for what happened in the past by stopping them from entering the House of Allah and the Sacred Mosque and performing their Ḥajj - because this is injustice and Islam does not favour avenging injustice by inflicting counter injustice. Instead of that, it teaches the doing of justice in return for injustice done and upholding it under all odds. It is true that those people, under the sway of their power, and position at that time, had stopped Muslims from entering the Sacred Mosque and performing 'Umrah, quite unjustly indeed. But, the

retaliation for this injustice can hardly be that Muslims now go about using their power to stop them from carrying out their Hajj rites.

The Qur'ān teaches that friend and foe should be treated equally on the scale of justice. It commands Muslims to do nothing but justice as a matter of obligation, no matter how deadly the enemy and no matter how serious the pain inflicted. That Islam guards the rights of enemies is certainly one of the peculiar qualities of Islam which does not answer one injustice by another, rather elects to do justice in return.

The Qur'ānic Principle of Mutual Cooperation and Assistance

وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ .

And help each other in righteousness and piety, and do not help each other in sin and aggression. And fear Allah. Surely, Allah is severe at punishment.

This is the last sentence of the second verse of Sūrah al-Mā'idah. Here, the Holy Qur'ān has given such a wise verdict on an elemental question of human life that it can be confidently taken as the moving spirit behind any reliable world order on which depends the prosperity and survival of all human beings. As such, acting in accordance with the Qur'ānic principle of Mutual Cooperation and Assistance is the only way to the betterment of the human beings. Every sensible person already realizes that things get done in our world through the cooperative efforts of all human beings. This is how the system keeps running. A solitary person, no matter how smart, powerful or rich, cannot procure what he needs to sustain his life single-handedly. One lone person cannot go through all the stages of growing and processing his ready-to-eat food, nor can he cope up with the countless steps required in growing cotton, manufacturing cloth and having a dress prepared to fit his measurements, nor can he move his things from one place to the other. Thus, it is not difficult to see that every human being needs hundreds and thousands of others to run his life. This mutual cooperation of theirs is what keeps the whole system going. Incidentally, this cooperation is not limited to the life of the world of our experience, it is also needed in the stages from death to burial - even

beyond, when one remains depending upon those he left behind and who may pray for his forgiveness and do things the reward of which keeps reaching him after his death.

Great is the majesty of Allah who, in His perfect wisdom and power, set up such a formidable system of this world, a system where every human being needs the other. The poor man needs the rich while the richest of the rich need the poor worker to handle jobs with labour and skill. The traders need consumers and consumers need traders. The home owner needs a team of technicians having expertise in many areas in order to build a house and they, in turn, need him. If this universal element of need was not there and mutual assistance remained dependant on moral superiority of persons and parties, just imagine who would have been working for whom. The whole thing would have fallen flat for we have been seeing what has happened to common moral virtues and ethical values in this world of ours. Even if this division of labour could have been enforced as some law made by some government or international organization, the fate it would have met would have been no different than the fate of all sorts of laws proliferating the many national and international forums of the world where the law rests at peace in acts while the bazars and offices are run by shadow laws of bribery, nepotism, neglect of duty and apathy of application. We have to salute the framework of doing things given to us by the wisest of the wise, the power of the powers, who placed in the hearts of people of different inclinations to have the ability and desire to run their lives with a particular line of work as its pivot. Had it been otherwise and some international organization or a government chose to assign fields of work among people making someone a carpenter, others iron-mongers or janitors or managers of water and food supplies, who would have become so obedient to such commands from governments and institutions as to sacrifice all personal considerations and jump right into the line of work chosen for them?

So, it is Allah Almighty who has put into man's heart the inclination towards and liking for whatever work or role for which He has created him. Now he takes the service he is doing as his lifework without any legal compulsion and it is through this that he earns his living. The end product of this firmly established system is that all

human needs are easily satisfied at the cost of small cash. It may be ready-to-eat food or ready-to-wear clothes or ready-to-use furniture or a turn-key home - one can buy all this at some affordable price. Without the benefit of this system, even a billionaire would have failed to acquire a single grain of wheat despite being ready to stake all his wealth. In order to visualize the outcome of this natural system, think of one of your stays in a hotel where you enjoy the benefit of so many things without blinking. Only if you were to analyse how this works, you will notice that the food you eat there is comprised of courses featuring eatables and seasonings from many countries, china and cutlery and furniture from many more, and managers, chefs and stewards from still others. The tiny morsel of food which reaches your mouth is the result of the combined contribution of millions of machines, animals and human beings - and it is only after that, that you have been able to pamper your palate. Take another example. You come out of the house to go to some place a few miles away. You may either cannot walk all that distance or you do not have the time to do so. You find a taxi cab or a bus nearby without realizing that these vehicles have been assembled with components from many parts of the world and with drivers and conductors from as many. What things and what people stand there to wait on you and serve you! Just pay the fare and be on your way! No government has forced them to provide these for you. Working behind this scheme of things is the natural law ingrained into the human heart as a creational imperative by none but the great master of all hearts Himself.

Not far is the example of what the socialist countries did when they did away with this natural arrangement by taking over the function of telling people what they will do in their lives. In order to do this, they had to, first of all, do away with human freedom through coercion and injustice resulting in the killing and imprisonment of thousands and thousands of people. Those who remained behind were coerced into working like the parts of a machine, as a result of which, it can be conceded that production did increase at some places, but it must also be granted at the same time that this increase came at the cost of a gross demolition of the free choice of human beings. Thus, the deal did not turn out to be economical. Look at the natural arrangement in contrast. Here, everyone is free and restricted at the same

time - restricted in the sense of being devoted to particular jobs and roles on the basis of natural dispensation of dispositions. Since this restriction or compulsion comes from nowhere but from natural disposition, nobody feels being coerced. People who would themselves come forward to do the toughest labour or the most menial job, people who would even make efforts to get such jobs, are found everywhere during all times. The same people would, if a government started forcing them to do these jobs, just start running away from it enmasse.

In a nutshell, the universal world order revolves round mutual cooperation. But, let us not forget the other side of the picture which is very much there. For example, if this mutual cooperation were to be seriously practiced to carry out activities of crime, theft, robbery, killing and vandalization resulting in big, powerful and organized associations of thieves and robbers, then, this very mutual cooperation can destroy the whole system. This tells us that mutual cooperation is a two-edged sword which cannot only hurt you but it can also knock out the universal order of things. Since the world we live in a mix of good and bad, it was not unlikely that people would start using the power of mutual cooperation to infest human society with crimes, killings, destruction and general loss. Incidentally, this is no more a matter of likelihood, instead, it is an open fact of life for the whole world to see. Thus, it was as a reaction to this situation that theorists of the world laid the foundation of groups and nations based on different ideologies in order to have security for themselves. The idea was to use the power of mutual cooperation in favour of a particular group or people by offering an allied defence against another group or people who attacked them.

The Formation of Separate Nations

According to 'Abd al-Karīm al-Shahristānī in *Al-Milal-wa-al-Nihal*, in the beginning when human population was not much, four nations came into being in terms of East, West, North and South. People living in each of these directions started taking themselves as one nation while taking others as other nations. And it was on this basis that they established their mutual cooperation. Later, when the population of the world became larger, the idea of nationalism and multilateralism on the basis of geneology, family ties and tribal affiliations became a

working principle among peoples of all directions. The whole system of Arabia rested on the basis of such tribal and geneological affinities, so much so that these were sufficient grounds to go to wars against each other. Banū Hāshim was one nation, Banū Tamīm was another and Banū Khuza'ah still another. Among the Hindus in India, this division on the basis of the high caste and the low caste still persists unchanged.

The modern period of European nations did nothing to retain their geneological distinction, nor did they give any credence to the geneological peculiarities of the rest of the world. When they gained ascendancy in the world, all geneological and tribal groupings were eliminated, separate nations were raised on the basis of regions, provinces, homelands and languages - almost by placing a piece of humanity on each such altar. The fact is that this is the form that prevails in most parts of the world. The limit is that Muslims too - of all the peoples the least likely - fell a victim to this modern voodoo of community organization. As if the division as Arabs, Turks, Iraqis and Sindhis were not enough, they went on dividing and sub-dividing themselves into Egyptians, Syrians, Hijazis, Najdis, Panjabis, Bangalis, and so many others who started identifying themselves as separate nations or nationalities or peoples. Since all affairs of their governments were run on this basis, regional or provincial prejudice went deep into their response patterns and peoples of all regions or provinces began relating to each other on this basis - that became their idea of mutual cooperation.

The Teaching of the Qur'ān about Nationalism and Universalism

Then came the Holy Qur'ān reminding human beings of the lesson they had forgotten. The initial verses of Sūrah al-Nisā' clearly declared that all human beings are the children of one father and mother. The noble Prophet, Sayyidnā Muḥammad صلى الله عليه وسلم made this all the more clear when he publicly announced during the famous address of his last Hajj that no Arab is superior to a non-Arab nor a white to a black. Superiority depends on nothing but *Taqwā*, on the fear of Allah and obedience to Him. It was this teaching of the Qur'ān which gave the call of "إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ" (Believers are brothers - 49:10) and it was in

one stroke that the jet blacks of Ethiopia were related to the reds of Turkey and Byzantium and the lineally less endowed non-Arabs to the Qurayshī and Hashmī Arabs as brothers to each other. The concept of nation and brotherhood was established on the basis that those who believe in Allah and His *Rasūl* are one nation and those who do not so believe are the other. It was this foundation which cut asunder the family ties of Abū Jahl and Abū Lahab from the noble Prophet ﷺ while joining it with Sayyidnā Bilāl from Ethiopia and Sayyidnā Suhayb from Byzantium. Finally, came the proclamation of the Qur'an: **كَلَّاكُمْ** (64:2). It means that Allah created all human beings, then, they split in two groups - some became disbelievers and some others became believers. A practical demonstration of this Qur'anic classification was visible during the battles of Badr, Uhud, Ahzab and Hunayn when a blood brother who elected to stay away from the obedience of Allah and His *Rasūl* found that his bond of mutual cooperation with his believing brother stood severed and he could no longer escape the stroke of his believing brother's sword.

Stated in the verse of the Qur'an cited above: **وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ** is this very principle of mutual cooperation and assistance. Being so reasonable and correct, it exhorts people to cooperate in deeds which are righteous and matters which are motivated by the fear of Allah and forbids them from extending their cooperation to anything sinful and aggressive. Just consider that the noble Qur'an has not suggested here that one should cooperate with Muslim brothers and not with non-Muslims. Instead of that, it declares that righteousness and the fear of Allah are the bases on which cooperation is to be extended for this is the real foundation on which rests any cooperation among Muslims themselves. It clearly means that no help is to be extended even to a Muslim brother if he is acting contrary to truth or is advancing towards injustice and aggression. Rather than help him in what is false and unjust, effort should be made to hold his hands against indulging in the false and the unjust for this, in reality, is helping him at its best - so that his present life as well as his life in the Hereafter is not ruined.

According to a narration from Sayyidnā Anas appearing in the Ṣaḥīḥ of al-Bukhārī and Muslim, the Holy Prophet صلى الله عليه وسلم has been

reported to have said: 'انصر اخاك ظالماً او مظلوماً' (That is: Help your brother, just or unjust). His Companions who were soaked in the teaching of the Qur'an were surprised. They asked: 'Yā Rasūl Allah (O Messenger of Allah) as for helping the oppressed brother, that we understand. But, what does 'helping the oppressor' mean?' He said: 'Stop him from doing injustice - this is helping him.'

This teaching of the Qur'an helped establish that righteousness (*birr*) and the fear of Allah (*Taqwā*) are the real criterions on which it raised the edifice of Muslim nationalism and to which it invited the peoples of the world as the common denominator of mutual cooperation and assistance. Contrary to this were sin and aggression (*ithm* and '*udwān*') which were declared to be serious crimes and cooperation in these was prohibited. To describe the positive criterions, two separate words of *Birr* and *Taqwā* were used. According to a consensus of commentators, the word, *Birr* at this place means the doing of deeds which are good. This has been translated here as righteousness. The word, *Taqwā* means abstinence from what is evil. The word, *Ithm* has been used here in an absolute sense meaning sin and disobedience, whether it relates to rights or acts of worship. As for '*Udwān*', it lexically means the crossing of limits, that is, injustice and aggression.

About cooperating in what is righteousness and the fear of Allah, the Holy Prophet صلى الله عليه وسلم said: الدال على الخير كفاعله which means: The reward of the person who shows someone the path of righteousness is very much the same as if it was taken personally. Ibn Kathīr has reported this ḥadīth with reference to al-Bazzār. In addition to that, it appears in the Ṣaḥīḥ of al-Bukhārī that the Holy Prophet ﷺ said that whoever invites people to true guidance and righteous conduct shall receive a reward equal to all those who would heed to the call and act right - without the least cut from the reward of such people. As for the one who invites people to the path of error or sin, he or she will be earning the same amount of sin fully equal to the sins of all those who got involved with the filth of sin because of the inviter to sin - without any decrease in the count of such sins.

Citing Ṭabarānī, reports Ibn Kathīr: The Holy Prophet ﷺ said that anyone who joins up with an unjust person to assist him goes out of the fold of Islam. It is on the basis of this guidance that the righteous

elders of the community have strictly abstained from accepting any office or service in the courts of unjust rulers - for this amounts to assisting them in their acts of injustice. Tafsīr Rūḥ al-Ma'ānī, while explaining the noble verse: فَلَنْ أَكُونَ ظَهِيرًا لِّلْمُجْرِمِينَ : 'I will never be a helper for the criminals - 28:17', has reported a ḥadīth in which the Holy Prophet ﷺ has said that a call will go forth on the Day of Judgement citing the oppressors and the unjust and their helpers, so much so that all those who have handled chores even as insignificant as setting up the pens and inkpots of the unjust and the oppressive will all be rammed into a steel coffin and thrown into the Hell.

This is the teaching of the Qur'ān and Sunnah which aimed at spreading the virtues of righteousness, justice, sympathy and good-mannerliness throughout the world by presenting every single individual of the community as a living herald and model of the truth. And conversely, in order to eradicate crimes, injustices and oppressions, the same teaching had converted every member of the community into a kind of soldier who was bound to do his duty under all circumstances, whether watched or unwatched - because of the fear of Allah in his heart. The whole world saw the outcome of this wise teaching and grooming during the blessed period of the noble Companions and their Successors. Even in our day, when war threatens a certain country, departments of civil defence are established which impart some level of training for all its citizens. But, nothing of the sort gets done when it comes to the eradication of crimes, to making people promoters of good and blockers of evil. It is obvious that an objective like this cannot be achieved by military parades or civil defence exercises. This is the ultimate art of living which can only be learnt and practiced in educational institutions which, unfortunately, seem to have become strangers to spiritual and social refinements. This is very much true about the great qualities of righteousness and the fear of Allah which seem to be all banned in modern day educational institutions while the admittance of sin and high-handedness is all too open. What can the police do when a whole people throw away the concerns of the lawful and the unlawful and the right and the wrong on their backs and turn crime-oriented? Today we see the graph of crime rising high - theft, robbery, sexual offences, killings and destructions are taking place everywhere. That the legal machinery can do nothing to root out

these crimes is because of their failure to take advantage of the Qur'ānic solution suggested above, that is, the governments are far removed from this Qur'ānic system, and that they, particularly those who hold power into their hands, demur from adopting the principle of righteousness and the fear of Allah as the aim of their life - even though they have to face a thousand other hardships as a result of such avoidance. It may be interesting if such deviationists would swallow their pride at least for once, even if this be on a trial basis. Let them, then, witness the spectacle of the power of Allah and how it blesses them and their people with good life filled with the best of peace and comfort.

On the other side, there were the masses of people who took it for granted that the eradication of crimes is the exclusive responsibility of the government. In fact, they have become used to keeping crimes covered up. The idea of coming up with true witnesses to confirm truth and eliminate crime is no more a favoured practice among them. Such people must understand that covering up the crime of the criminal and avoiding to put their witness on record is an abetment of crime which, according to the Holy Qur'ān, is *Harām* (unlawful) and a grave sin indeed. Furthermore, it is also a flagrant disobedience of the Divine command: *وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ* (And help each other in righteousness and piety, and do not help each other in sin and aggression) (5:2).

Verse 3

حُرِّمَتْ عَلَيْكُمُ الْمَيْتَةُ وَالْدَّمُ وَلَحْمُ الْخِنْزِيرِ وَمَا أَهْلَ لِغَيْرِ اللَّهِ بِهِ وَالْمُنْخَنِقَةُ وَالْمَوْقُوذَةُ وَالْمُتَرَدِّيَةُ وَالنَّطِيحَةُ وَمَا أَكَلَ السَّبُعُ إِلَّا مَا ذَكَّيْتُمْ وَمَا ذُبِحَ عَلَى النُّصُبِ وَأَنْ تَسْتَقْسِمُوا بِالْأَزْلَامِ ذَلِكُمْ فِسْقٌ الْيَوْمَ يَبْسُ الَّذِينَ كَفَرُوا مِنْ دِينِكُمْ فَلَا تَخْشَوْهُمْ وَاخْشَوْنِ الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَاتَّمَمْتُ عَلَيْكُمْ نِعَمَتِي وَرَضِيتُ لَكُمُ الْإِسْلَامَ دِينًا فَمَنِ اضْطُرَّ فِي مَخْمَصَةٍ غَيْرِ مُتَجَانِفٍ لِإِثْمِهِ فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ ﴿٣﴾

Prohibited for you are: the carrion, the blood, the flesh

of swine, and what has been invoked upon with (a name) other than that of Allah, and the animals dead by strangulation, dead by blow, dead by a fall, dead by goring, and that which a beast has eaten unless you have properly slaughtered it; and that which has been slaughtered before the idols and that you determine shares through the arrows. This is sin.

Today those who disbelieve have lost hopes of (damaging) your faith. So, do not fear them, and fear Me. Today, I have perfected your religion for you, and have completed My blessing upon you, and chosen Islam as *Dīn* for you. But whoever is compelled by severe hunger with no way out, having no inclination, then Allah is Most-Forgiving, Very-Merciful. [3]

Commentary

This is the third verse of Sūrah al-Mā'idah where a number of fundamental and subsidiary injunctions and rulings have been described. The first problem relates to lawful and unlawful animals. As for animals whose meat is harmful for human beings - whether physically, for it may pose the danger of disease in the human body, or spiritually, for it may hold the danger of spoilage in human morals or its many emotional states - these the Qur'ān has classed as evil declaring them to be unlawful. Then there are animals which have no physical or spiritual harmfulness, these the Qur'ān has declared to be good, pure and lawful.

The first prohibition in this verse is that of dead animals. These refer to animals which die without having been slaughtered, either because of some sickness or because of their natural death. The meat of such dead animals is extremely harmful for human consumption, not simply 'medically', but spiritually as well.

However, the Holy Prophet صلى الله عليه وسلم has exempted fish and locust as reported in *Aḥādīth* narrated in the Musnad of Aḥmad, Ibn Mājah, Dārquṭnī and al-Baihaqī and elsewhere.

The second thing declared unlawful in this verse is blood. By saying: *أَوْ دَمًا مَسْفُورًا* (Or, flowing blood - 6:145) in another verse of the Holy Qur'ān, it was made clear that blood here means blood which flows. For this reason, liver and spleen, despite being blood, stand exempted

from the purview of this injunction. The *Ḥadīth* referred to a little earlier where fish and locust have been exempted from the purview of 'Maitah' or carrion also carries the exemption of liver and spleen from the definition of blood.

The third thing declared unlawful is the flesh of swine. 'Laḥm' or flesh means the whole body of the swine which includes fat, ligaments, everything.

The fourth prohibition is that of an animal which has been invoked upon with (a name) other than that of Allah (dedicated in this manner, or slaughtered). And, at the time of slaughtering it as well, the act of invoking any name other than that of Allah will amount to flagrant Shirk, which is the ascribing of partners, sharers or associates in the pure divinity of Allah. This animal, thus slaughtered, shall fall under the injunction of a dead animal with the consensus of Muslim jurists. This is what was done by the disbelievers of Arabia when they slaughtered animals invoking the name of their idols, or as some ignorant people would do when they would slaughter animals in the name of some saint or savant. It is also possible that someone does invoke the name of Allah at the time of slaughtering but actually offers it for one other than Allah making that sacrifice for the pleasure of whatever that non-Allah is. If so, this too, according to a consensus of Muslim jurists, is unlawful under the injunction of : مَا أُمِّلَ لغيرِ اللَّهِ بِهِ (what has been invoked upon with [a name] other than that of Allah).

The fifth category made unlawful is that of an animal which has been strangled to death, or which has choked itself to death while struggling out of some trap. Though *Munkhaniqah* (dead by strangulation) and *Mawqūdḥah* (dead by blow) are included under the broad Qur'ānic term of 'Maitah' (carrion), but they have been mentioned here particularly because the people of *Jāhiliyyah* took them to be permissible.

The sixth category of animals is *Mawqūdḥah* (dead by blow). It means an animal which has been killed by some hard blow, the kind of blow that comes from being hit by a staff, rod or rock. Should an arrow strike and kill its game in a manner that the arrow does not hit it with the sharp arrow head but does end up killing it just the same from the force of the blow itself, then, this too will be counted as *Maw-*

qūdḥah and will, as such, be unlawful. Sayyidnā 'Adī ibn Ḥatim رضي الله عنه said to the Holy Prophet صلى الله عليه وسلم : 'There are times when I hunt with an arrow heavy in the middle. If the game is killed with this arrow, can I eat it?' He said: 'If the animal has been killed by a blow from the heavy side of the arrow, it is included under *Mawqūdḥah* - do not eat it (and if it has been hit by the sharp-edged point and it has wounded the game, then, you can eat it). Al-Jaṣṣāṣ has reported this narration in *Aḥkām al-Qur'ān* citing his own chain of authorities. Here, the condition is that the arrow should have been released from the bow after having said *Bismillāh*.

The game killed by a gun bullet has also been ruled by Muslim Jurists as included under the category of '*Mawqūdḥah*' and is, therefore, unlawful. Imām al-Jaṣṣāṣ reports from Sayyidnā 'Abdullāh ibn 'Umar that he used to say: المقتولة بالبنق تلك الموقودة which means that an animal killed by gun shot is the '*Mawqūdḥah*'; therefore, it is unlawful. Imāms Abū Ḥanīfah, Shāfi'ī, Malīk and others are all in agreement with this view (al-Qurṭubī).

The seventh category is called '*al-Mutaraddiyah*' (killed by a fall). It means that an animal which dies by falling from a mountain, mound or a high building, or which dies by falling into a well or some similar depth is also unlawful. Therefore, says a report from Sayyidnā 'Abdullāh ibn Mas'ūd: If you see a game standing on top of a mountain and you shoot your arrow at it after reciting *Bismillāh* and the hit of the arrow causes the game to fall down and die, then, do not eat it.

Because, here too, the probability exists that the animal did not die with a hit from the arrow. May be, it died from the shock of the fall - if so, it will be counted under the category of '*Mutaraddiyah*' (dead by a fall). Similarly, if an arrow is shot at a bird and it falls down in water, its eating has also been prohibited for the same reason that probability exists that the hunted bird had died by drowning (al-Jaṣṣāṣ).

It should also be noted that Sayyidnā 'Adiyy ibn Ḥatim too has reported the same ruling from the Holy Prophet ﷺ - (al-Jaṣṣāṣ).

The eighth category is that of '*An-Naṭḥah*' (dead by goring). It refers to an animal which has died in some collision such as by bumping against a train or vehicle, or it has been gored by butting against an-

other animal.

The ninth category is of an animal which died when torn apart by some beast.

After describing the unlawfulness of these nine categories, an exception has been mentioned. It was said: *إِلَّا مَا ذَكَّيْتُمْ*. It means: If you find any of these animals alive and you slaughter it properly, then, it becomes lawful - eating it is permissible.

This exemption cannot be applied to the first four categories, because in *Maitah* (carrion) and *Dam* (blood), the very possibility does not exist; and as for *Khinzīr* (swine) and what falls under *مَا أَمَلَ لِغَيْرِ اللَّهِ* : *mā aḥilla li-ghayrillāh* (what has been invoked upon with [a name] other than that of Allah), they are unlawful in themselves - slaughtering or not slaughtering them is equally irrelevant. Therefore, there is a consensus of Sayyidnā 'Alī, Ibn 'Abbās, Ḥasan al-Baṣrī, Qatādah and other righteous elders on the view that this exemption applies to categories after the first four, that is, to the '*Munkhaniqah*' (dead by strangulation) and what comes after it. So, it comes to mean that, should the animal be found alive under all these circumstances with commonly discernable signs of life, and slaughtered with the name of Allah while in the same condition, then, it is lawful - whether dead by strangulation, dead by blow, dead by a fall, dead by goring or that which a beast has eaten. Any of these slaughtered while sensing signs of life in it shall become lawful.

Under the tenth category, an animal which has been slaughtered at an altar is unlawful. The altar refers to slabs of rocks placed around the Ka'bah which the people of *Jāhiliyyah* took as objects of worship and they would bring animals near the altars and sacrifice them dedicated to these rock slabs. They thought it was worship.

The people of *Jāhiliyyah* used to eat all these kinds of animals, animals which are evil. The Holy Qur'ān declared all of them to be unlawful.

The eleventh practice declared unlawful in this verse is the determining of shares with arrows: *al-istiqsām bi al-azlām*. The Arabic word, '*al-azlām*' used in the Qur'ān is the plural of *zalām*. This was an arrow used to determine shares during the days of *Jāhiliyyah*. They

were seven in number. One would have 'yes' and the other would have 'no' or some similar words written on them. These arrows were kept in the custody of the keeper of the Ka'bah.

When someone wanted his fortune told or wished to find out whether doing something in the future will be beneficial or harmful, they would go to the keeper of the Ka'bah, present money gift to him in anticipation of his service, who would, then, take out these arrows from the quiver one by one. If the arrow so drawn turned out to be the one with the word 'yes' on it, they thought that doing what they wanted to do was beneficial; and if, the arrow drawn had a 'no' on it, they drew the conclusion that they should not do what they wanted to do. The reason why this has been mentioned in the context of unlawful animals is that small groups of pagan Arabs used to have a joint slaughter of a camel or some other animal but, rather than divide up shares from the meat to all participants in accordance with the number of shares originally subscribed to, they would decide it by drawing these arrows. Obviously, by doing that, someone would remain totally deprived, someone else would get too much and there would be someone getting less than what was his right. Therefore, the unlawfulness of this procedure was explained alongwith the unlawfulness of animals.

'Ulamā' say that all methods used to divine future happenings or to find out what is '*Ghayb*' (Unseen) - whether divination through numbers ('*ilm al-Jafr* or *Jafar*), or palm-reading, or the taking of omen - fall under the injunction of 'determining shares with arrows.'

The Arabic term for 'determining shares with arrows' is sometimes used for *Qimār* or gambling as well wherein rights are determined by the methods of lots or lottery. This too is *Harām* (unlawful) on the authority of the Qur'ān which prohibits it under the name, '*Maisir*' (gambling). Therefore, righteous early elders Sa'īd ibn Jubayr, Mujāhid and Al-Sha'bī said that the way the pagan Arabs used arrows to determine shares, people of Persia and Asia Minor used chessmen and pieces of backgammon for the same purpose. They all fall under the injunction about arrows.

After explaining the unlawfulness of determining shares with arrows al-Tafsīr al-Mazharī has particularly pointed out that the

Qur'anic statement: ذَلِكُمْ نَسْأُ (This is sin) which follows immediately after this injunction means that this method of divination or determining of shares is an act of sin which leads people astray. After that, it was said:

الْيَوْمَ يَنْسُ الَّذِينَ كَفَرُوا مِنْ دِينِكُمْ فَلَا تَخْشَوْهُمْ وَاخْشَوْنِ

Today those who disbelieve have lost hopes of (damaging) your faith. So do not fear them, and fear Me.

This verse was revealed to the Holy Prophet صلى الله عليه وسلم on the day of 'Arafah of the Last Hajj in the tenth year of Hijrah. This was a time when the conquest of Makkah and almost of all Arabia was complete. Islamic law prevailed all over the Peninsula. Thereupon, reference was made to the assessment of disbelievers that Muslims were much lower in number as against them and that they were weak too based on which they planned to eliminate them. Now that they do not have those ambitions any more nor do they have the power to pose a challenge, Muslims have been asked to feel secure against them and go on to spend their energy in obeying and worshipping their Lord:

الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَأَتِمَمْتُ عَلَيْكُمْ نِعْمَتِي وَرَضِيتُ لَكُمُ الْإِسْلَامَ دِينًا

Today, I have perfected your religion for you, and have completed My blessing upon you, and chosen Islam as *Din* for you.

The combination of circumstances in which this verse was revealed is special. Imagine. This is the day of 'Arafah, the foremost day out of the days of the entire year and by chance this 'Arafah fell on a *Jumu'ah* (Friday) the merits of which are well-known. The place is nothing less than the plain of 'Arafat, close to the Mount of Mercy (*Jabl ar-Rahmah*) which, on the day of 'Arafah, is the chosen spot of the incessant descent of Mercy from Allah Almighty. The time is after 'Aṣr, which is a blessed time even during normal days, specially so on Friday wherein comes the hour when prayers are answered as confirmed by many authentic reports and this is the time for it. Then, this being the day of 'Arafah as well, it is all the more likely that prayers shall be answered particularly at this hour and time.

This is the largest and the first great gathering of Muslims for their Hajj. Participating in it are some one hundred and fifty thousand noble *Ṣaḥābah*, the Companions, may Allah be pleased with them

all. And present with his Companions is the Holy Prophet ﷺ who is the very mercy of all universes sitting on his mount, the she-camel 'Aḍbā' under the legendary Mount of Mercy busy with his Wuqūf in 'Arafāt, now a great basic rite of Hajj.

It is under the canopy of these blissful merits and blessings and mercies that this verse is being revealed to the Holy Prophet ﷺ. Spot witnesses to this spectacle, the noble Companions said: When this verse came in the mode of *Wahy* (revelation) to the Holy Prophet ﷺ what happened was what had transpired earlier too: The weight released by the descending Revelation could be perceived as the she-camel was crouching under that weight, so much so that she was compelled to sit down.

Sayyidnā Ibn 'Abbās رضي الله عنه says that this verse is almost the last verse of the Holy Qur'ān; no verse dealing with *Aḥkām* (Injunctions) was revealed after that. The only exception here is that of some verses of persuasive nature which have been identified as having been revealed after this verse. After the revelation of this verse, the Holy Prophet صلى الله عليه وسلم lived in this mortal world for only eighty one days, for this verse was revealed on the ninth day of Dhil-Hijjah in the Hijrah year 10 and it was on the twelfth day of the month of Rabi' al-Awwal in the eleventh year of Hijrah that the Holy Prophet ﷺ departed from this mortal world.

That this verse was revealed in such elegant setting with a very special concern has its secret in the message it conveys which is a great news, a solemn reward and an abiding hallmark of distinction for Islam and Muslims and for the *Ummah* at large. In a nutshell, the message is that the ultimate standard of True Faith and Divine Blessing which was to be bequeathed to human beings in this world has reached its perfection on that great day. This is, so to say, the climax of the divine blessings in the shape of a True Faith which began with Sayyidnā Ādam عليه السلام and continued in later times when the children of Ādam in every period and every area kept receiving a part of this blessing in proportion to their prevailing conditions. Today, that Faith and that Blessing in its final form has been bestowed upon the Last of the Prophets, the *Rasūl* of Allah صلى الله عليه وسلم and to his *Ummah*.

It goes without saying that this bestowal primarily highlights the excellence and distinction of the last and the foremost Prophet, Sayyidnā Muḥammad al-Muṣṭafā صلى الله عليه وسلم among the community of prophets, messengers and apostles. But, it also proves that the *Ummah* has a distinct status among other Traditional Communities.

This is why some Jewish scholars came to Sayyidnā 'Umar and told him: Your Qur'an has a verse which, if it was revealed to Jews, would have given them an occasion to celebrate its revelation through a festival. Sayyidnā 'Umar asked: Which verse is that? They, in response, recited this very verse (الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ). Sayyidnā 'Umar said: Yes, we know where and when this verse was revealed. The hint was that the particular day was a day of doubled rejoicing (*Eid*) for Muslims, one for 'Arafah and the other for *Jumu'ah* (Friday).

The Islamic Principle of Celebrating Festive Occasions

This reply given by Sayyidnā 'Umar also carries a hint towards a cardinal Islamic principle which, of all peoples and religions of the world, is the hallmark of Islam alone. It is common knowledge that peoples from every nation and every religious group commemorate their particular historical events conditioned by their respective self-view. Such days which return each year acquire the status of a major festival with them.

Somewhere the celebration is about the birth or death anniversary of a great person. Elsewhere, it would be a day of coronation, or the day of the conquest of some country or city, or some acclaimed historical event. The net outcome of all such celebrations is no more than increasing the image of particular individuals. Islam is against the cult of personality. It has bypassed the customs of the age of ignorance by eliminating the commemoration of persons and by introducing the commemoration of principles and objectives as standard practice.

Sayyidnā Ibrāhīm, عليه السلام, the patriarch of prophets, was given the title of "Friend of Allah." The Holy Qur'an paid tributes to him on his success against trials. The verse: وَرَدَّ ابْنُ آدَمَ رَبَّهُ بِكَلِمَاتٍ فَتَحَبَّبَهُ (and when his Lord put Ibrāhīm to a test with certain Words! And he fulfilled them) (2:124) means exactly this. But, no anniversary of his birth or death was ever celebrated, nor that of his son, Ismā'il عليه السلام, nor that of his mother, nor any kind of memorial was established to perpetuate their

memory.

Of course, there were things of significance in their deeds, things related to the objectives of religion and faith. This legacy was worth the best of preservation and commemoration and this legacy was not only preserved but made mandatory for all succeeding generations as an obligatory part of their religion and faith. Sacrifice. Circumcision. Running between the hills of Ṣafā and Marwah. Throwing pebbles at three places in *Minā*. All these are living, ever-reminding monuments to the deeds of the same righteous elders which they performed by sacrificing their personal desires and natural needs aiming for nothing but the pleasure of Allah Almighty. Right there, in these deeds, there is a lesson for all peoples of all times that human beings should sacrifice everything, even the dearest of the dear, for the good pleasure of Allah.

So, this was how Islam abstained from celebrating days devoted to the birth and death of prominent men, or women, no matter how great, or the days highlighting their personal lives and times. Celebrated instead, were days centered around their deeds, specially those pertaining to some particular act of worship, for example, *Laylatul-Barā'ah* (the Night of Deliverance from Sin), *Ramaḍān al-Mubārak* (the Blessed Month of Ramaḍān), *Laylatul-Qadr* (the Night of Power), *Yowm al-'Arafah* (the Day of 'Arafah), *Yowm al-'Āshūrā* (the Day of 'Āshūrā) etc. As for 'Īd, the well-known Muslim Festival of Rejoicing, it was limited to only two and that too was made purely religious in nature. The first 'Īd ('Īdul-Fiṭr) was set in between at the end of the month of Ramaḍān al-Mubārak and at the beginning of the Ḥajj months while the second 'Īd ('Īdul-Aḍḥā) was appointed to be celebrated after the completion of the Hajj pilgrimage.

To sum up, let us return to the reply given by Sayyidnā 'Umar which so succinctly declared that 'Īds in Islam do not follow historical events as among Jews and Christians. This was the custom of *Jāhiliyyah*, the first age of ignorance when the passing of some major historical event would be turned into a festival. Now, as witnesses to the modern Age of Ignorance, we can see how wide-spread this urge to celebrate has become. The limit is that Muslims themselves have started imitating other nations indulging in practices contrary to their way.

Christians started celebrating a Festival commemorating the birth of Sayyidnā 'Īsā, عليه السلام. With their example before them, some Muslims introduced another 'Īd, the Festival of the birth of the Holy Prophet, may peace be upon him, and the blessings of Allah. Devoting a day to take out processions on streets with activities neither reasonable nor valid and filling a night with displays of lamps and lights, they took this to be an act of worship. For this there is no basic justification in the words and deeds of the *Ṣaḥābah*, the noble Companions, or the *Tābi'īn*, the Successors to the Companions, or the large body of the righteous elders of the Muslim Community.

The truth of the matter is that this practice of celebrating days would pass with nations which lack individuals with superior merits and achievements. When lucky, they would find a couple or few suitable enough with a record of something special they may have done and commemorating them would become a matter of national pride for them.

If this custom of celebrating days were to be practiced in Islam, we would have to begin with more than one hundred and twenty thousand prophets each of whom has a big roster of wonderful achievements to his credit. Celebrating the birthday of and commemorating the achievements of each would be very much in order. After past prophets, peace be upon them, let us move to the Last of them ﷺ and look at his pure and pristine life. When you do that there would not remain even one day which could turn out to be devoid of one or the other achievement which deserves to be celebrated. From his childhood to his youth, he was an epitome of moral perfections (or a paradigm of virtues, as termed by some modern Muslim writers in the West) whereby he was considered the most trustworthy person in the whole country of 'Arabia. Are these embellishments not worthy enough for Muslims to celebrate? Then, there is the Revelation of the Holy Qur'ān, the event of Hijrah, the Battle of Badr, and Uḥud, and Khandaq, and Ḥunayn, and Tabūk, and the Conquest of Makkah. Add to these all other battles in which the Holy Prophet صلى الله عليه وسلم participated. Each deserves a celebration. Similarly, there are thousands of his miracles; each one of them needs commemoration. One needs insight to look at the life of the Holy Prophet صلى الله عليه وسلم which would

bring an honest person to come to the conclusion that his good life - not just a day from it, rather every hour in it - is most worthy of being commemorated, celebrated and rejoiced in.

After the Holy Prophet صلى الله عليه وسلم, think of some one hundred and twenty thousand of his noble Companions each one of whom is really a living miracle of their master. Would it not be unjust to ignore them and avoid celebrating their achievements? If we pursue this practice still further on, we shall be looking at those who followed after the noble Companions - righteous elders, men of Allah, scholars, masters and guides - whose number would shoot up to millions. If commemorative days have to be celebrated, how could one leave them out? Would it not be an injustice to them? Or, a failure to recognize intellectual merit or spiritual excellence? And if, left with not much choice, Muslims were to decide to celebrate memorial days for everyone, they would have a calendar of activities all full of celebrations with no day free - in fact, they would have to celebrate several commemorations, festivals and 'Ids every hour of every day!

No wonder the Prophet of Islam and all his Companions ignored this custom as outmoded pagan practice from the days of *Jāhiliyyah*! Sayyidnā 'Umar, the second *Khalifah* of Islam, may Allah be pleased with him, alludes to this very approach in his policy statement made before the Jews.

Understanding Important Meanings of the Verse

This Verse carries the good news that Allah has given to the noble Prophet and his Community three rewards: Perfection of Faith, Completion of Divine Blessing and the Shari'ah of Islam as the Chosen Way for the Muslim Community.

1. Sayyidnā 'Abdullāh ibn 'Abbās, and others with him, explain that Perfection of Faith refers to the perfection of all limits, obligations, injunctions and refinements in personal and social behaviour as necessary for the True Faith. Now there is no need to add to it, nor there remains any probability of a shortfall (Rūh al-Ma'ānī). For this reason, no new injunction from among the total corpus of injunctions was revealed after this. As already pointed out earlier, the few verses which were revealed later on carry either some subjects of persuasion or were a reiteration of injunctions already revealed.

What has been said here is not contrary to the function of the most-authentically qualified jurists of Islam (*Mujtahid* Imāms through which they could explicate and elaborate injunctions of the Shari'ah related to new and unprecedented events and circumstances as based on their highest possible effort and judgement (*Ijtihād*). The reason is simple - because the Holy Qur'ān which has laid down the limits and obligations of religious injunctions has also, at the same time, determined the principles of *Ijtihād*. Pursuant to this authority, all rules and regulations deduced by *Ijtihād* right through the Last Day will be considered as if they are, in a way, the very injunctions of the Qur'ān itself - because they are subordinate to the principles given by the Qur'ān.

To sum up, we can say that 'Perfection of Faith', as explained by Sayyidnā 'Abdullāh ibn 'Abbās, is the perfection of all injunctions of the Faith. It needs no addition, while the probability of any shortfall through abrogation just does not exist - because, soon after, the ongoing process of *Waḥy* (revelation) was to be discontinued following the passing away of the Holy Prophet صلى الله عليه وسلم from this mortal world; and no injunction of the Holy Qur'ān can be abrogated without a Divine revelation (*Waḥy*). As for the apparent multiplicity of sub-injunctions that generated from jurists under the principle of *Ijtihād* was, in reality, no multiplicity as such. It was, rather, the explication and elaboration of the Qur'ānic injunctions.

2. 'Completion of Blessing' means the rise of Muslims and the fall of their antagonists - which was manifested through the Conquest of Makkah, the eradication of the customs of *Jāhiliyyah* and through the absence of all disbelievers from the Hajj that year.

The words of the Qur'ān used here show that '*Ikmāl*' (perfection) has been coupled with '*Dīn*' (Faith) while the word '*Itmām*' (Completion) goes with '*Ni'mah*' (blessing) - though both words are obviously synonymous and are generally used interchangeably. But, in fact, there is a difference in the sense they both carry. This has been explained by Imām Rāghib al-Isfahānī in his *Mufradāt al-Qur'ān* by saying that the '*Ikmāl* and *Takmīl*' (Perfection) of something means that the purpose and objective behind it has been accomplished (perfection of something carries exactly the same sense in English,

specially at a time when spoken of, as '*al-yowm*' (today) in the verse already indicates). The other word, '*Itmām*' (Completion) means that nothing else is needed any more. Thus, 'Perfection of Faith' tells us that the purpose of sending Divine Law and the injunctions of Faith into this world stands fulfilled and perfected today; and 'Completion of Blessing' means that Muslims do not have to depend on anyone anymore. Allah has Himself given them supremacy, power, authority. They can use these to promulgate and implement the imperatives (*Aḥkām*, Injunctions) of this True Faith.

Also noteworthy here is the arrangement in the Verse where '*Dīn*' (Faith) has been attributed to Muslims while the attribution of '*Ni'mah*' (Blessing) is towards Almighty Allah. This is because '*Dīn*' (Faith) is demonstrated by what the members of the Community do while the consummation of '*Ni'mah*' (Blessing) is directly from Almighty Allah (Ibn al-Qayyim, Tafsīr).

The meanings as established here also clarify that the Perfection of Faith 'today' does not mean that, earlier, the Faith of the blessed prophets was imperfect. Quite contrary to that, the '*Dīn*' (Faith) of every prophet and messenger was perfect and complete in terms of the relevant period of time (Tafsīr al-Baḥr al-Muḥīṭ with reference to al-Qaffāl al-Marwazī). In other words, it means that the period in which a Law or Faith was sent by Allah to a prophet, it was in itself perfect and complete for that period and for the people who belonged to it. But, the future projection, that the Faith quite perfect for that period and its people will not remain perfect for later periods and peoples, was already there in the ultimate Knowledge of Almighty Allah - He knew that it would be abrogated and another Faith and Law will take its place. This is contrary to the case of the Shari'ah of Islam which was sent last of all since it is perfect from all sides and angles. It is neither specified for any particular time nor is it restricted to any particular area, country or people. Instead of all that, Islam is a Shari'ah which is perfect and complete for every period and every area and every people for all times to come right upto the Last Day.

3. The third reward which has been bestowed upon the Muslim Community through this Verse is that Allah has, by His creational prerogative, authority and wisdom, chosen the Faith of Islam for this

Ummah which is perfect and complete in all its aspects - and on which depends the ultimate Salvation.

Certainly great was the message this Verse gave to the Muslim Community which was thus blessed with the finest gift they could ever dream of: the gift of the *Dīn* of Islam - the last and the most perfect Faith, after which there is no Faith to come and in which there shall be no addition or deletion. When this Verse was revealed, Muslims had good reason to be jubilant about Allah's mercy which descended upon them in that manner. But, Sayyidnā 'Umar was found in tears. The Holy Prophet صلى الله عليه وسلم asked him the reason for his tears. He replied: This Verse seems to indicate that now your stay in this world is very short, because with the perfection of Islam, the need of a *Rasūl* to be present also stands fulfilled! The Holy Prophet ﷺ agreed with him (Tafsīr ibn Kathīr and al-Baḥr al-Muḥīṭ). Time showed that the Holy Prophet صلى الله عليه وسلم departed from this mortal world only after eighty one days this event took place.

Unlawfulness of Animals: Exception under Compulsion

Towards the end of the Verse, the statement: *فَمَنْ اضْطُرَّ فِي مَخْمَصَةٍ* (But, whoever is compelled by severe hunger with no way out) relates to animals the unlawfulness of which has been mentioned in the earlier part of the Verse. The purpose of the sentence is to exclude a particular condition from the general rule. If a person is subjected to severe hunger to a point where death becomes likely, then, under this condition, were he to eat a little from unlawful animals mentioned in the Verse, there will be no sin on him. But, the condition is that the purpose of such eating should not be to have one's fill or to enjoy it. Instead of doing that, one should eat just about what would remove the state of compulsion.

This is exactly what the words: *غَيْرَ مُتَعَانِبٍ* (having no inclination to sin) following immediately mean, that is, this act should be free from any inclination to commit a sin. Contrary to that, the purpose should only be limited to get relief from the excruciating state of compulsion. Towards the end of the Verse, the statement: *إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ* (Allah is Most-Forgiving, Very-Merciful) makes a pointed reference to the fact that these unlawful things are still unlawful as they already were, but only such a person has been given leave because of the state of compulsion he may be in.

Verse 4

يَسْأَلُونَكَ مَاذَا أُحِلَّ لَهُمْ قُلْ أُحِلَّ لَكُمْ الطَّيِّبَاتُ وَمَا عَلَّمْتُم مِّنَ الْجَوَارِحِ مُكَلِّبِينَ تُعَلِّمُونَهُنَّ مِمَّا عَلَّمَكُمُ اللَّهُ فَكُلُوا مِمَّا أَمْسَكْنَ عَلَيْكُمْ وَاذْكُرُوا اسْمَ اللَّهِ عَلَيْهِ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ سَرِيعُ الْحِسَابِ ﴿٤﴾

They ask you as to what has been made lawful for them. Say, "Made lawful for you are good things, and (hunting through) birds and beasts of prey that you train teaching them out of what Allah has taught you. So, eat of what they hold for you, and recite the name of Allah upon it." And fear Allah. Surely, Allah is swift at reckoning. [4]

Lawful and unlawful animals were mentioned in preceding verses. An answer to a question on the same subject appears in the present verse. Some Companions had asked the Holy Prophet ﷺ about the rule governing hunting with the help of a trained dog and falcon. Given in this verse is an answer to that question.

Commentary

To make an animal lawful when hunted through a dog or falcon, four conditions have been mentioned in the question and its answer appearing above. These are:

1. The dog or falcon should be taught, trained and disciplined. The functional principle given here is that the dog should have been groomed in a manner that it should, when released at the prey, catch it and bring it back to you - not that it starts eating it. As for a falcon, the rule set was that it should immediately return when called by you, even if it was chasing the prey. When so trained, it will prove that these beasts of prey hunt for you and not for themselves. Now the animal hunted by these beasts of prey will be considered your own. And if they act against this training once in a while, for example, the dog itself starts eating the prey, or the falcon does not return at your call, then, this game is not yours anymore, therefore, eating it is not permissible.

2. The second condition is that you should release the dog or falcon immediately at your choice and will, not that they dash after some game and hunt it on their own. In the verse under discussion, this condition has been made to come out clearly by the use of the word, "*Mukallibīn*." Lexically, this word is a derivation from '*Taklīb*' which basically means the training of dogs. Later, it also came to be used in the sense of training beasts of prey and releasing them after the game.

The author of the famous Tafsīr Jalālayn explains it in the sense of '*Irsāl*' (send after) which means releasing after the game. This view has been reported in Tafsīr al-Qurṭubī as well.

3. The third condition is that the beasts of prey do not themselves start eating the game - instead, they should bring it to you. This condition has been explained through : *بِمَا آمَسَكْنَ عَلَيْكُمْ* (what they hold for you).

4. The fourth condition is: When you release the dog or the falcon after the game, do it after saying '*Bismillah*' (With the name of Allah).

When these conditions stand fulfilled, the game - if dead before it reaches you - will still be lawful with no need to slaughter. If otherwise, it will not be lawful for you unless slaughtered.

With Imām Abū Ḥanīfah, there is a fifth condition as well: That this beast of prey should have also wounded the game. A hint towards this condition is embedded in the word, "*Al-Jawāriḥ*" (birds and beasts of prey) which also means animals which wound or injure.

Ruling: This injunction covers wild animals out of one's possession and control. In case a wild animal has been captured, it will not become lawful without having been properly slaughtered.

Finally, at the end of the verse, there comes the instruction that hunting through a beast of prey has no doubt been made lawful by Almighty Allah, but, it is not permissible to ignore *Ṣalāh* and other necessary religious obligations for the sake of having fun chasing game.

Verse 5

الْيَوْمَ أُحِلَّ لَكُمْ الطَّيْبُتُ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حِلٌّ لَكُمْ وَطَعَامُكُمْ حِلٌّ لَهُمْ وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ وَالْمُحْصَنَاتُ

مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ إِذَا آتَيْتُمُوهُنَّ أَجُورَهُنَّ
مُحْصِنِينَ غَيْرَ مُسْفِحِينَ وَلَا مَتَّخِذِي أَخْدَانٍ ۖ وَمَنْ يَكْفُرْ
بِالْإِيمَانِ فَقَدْ حَبِطَ عَمَلُهُ وَهُوَ فِي الْآخِرَةِ مِنَ الْخَاسِرِينَ ﴿٥﴾

This day, good things have been made lawful for you. And the food of the people of the Book is lawful for you, and your food is lawful for them, and good women from among believers, and good women from among those given the Book before you, provided you give them their dowers, binding yourself in marriage, not going for lust, nor having paramours. And whoever rejects Faith, his effort will go waste and, in the Hereafter, he is among the losers. [5]

Commentary

In the first verse of Sūrah al-Mā'idah, the lawfulness of domestic animals such as the goat, cow and buffalo has been described. The third verse has a detail of nine kinds of unlawful animals. From that detail to the opening sentence of the present verse, we come to know in summation the essentials of the lawfulness and unlawfulness of animals as well as its operating standard and rule.

The verse opens with the words: *أَلْيَوْمَ أُحِلَّ لَكُمْ الطَّيِّبَاتُ* (This day, good things have been made lawful for you). Here, 'this day' means the day on which this verse and those before it have been revealed, that is, the Day of 'Arafah in the Last Hajj of Hijrah 10. The sense is that the way your Faith has been made perfect and the blessing of Allah stands completed for you on this day, very similarly, good things from Allah which were already lawful for you have been allowed to stay lawful for ever. The probability that the injunction could be withdrawn does not exist anymore because the ongoing process of revelation was to be discontinued.

This sentence mentions the lawfulness of good things. But, another verse (7:157): *يُحِلُّ لَهُمُ الطَّيِّبَاتِ وَيُحَرِّمُ عَلَيْهِمُ الْخَبِيثَاتِ* (Made lawful for them are good things and made unlawful for them are evil things). Here, by placing 'Aṭ-Ṭayyibāt' (good things) against 'Al-Khabā'ith' (impure things), the reality of both words has been made clear. Lexically,

things good, pure, clean and delightful are called '*Aṭ-Ṭayyibāt*'; and in contrast, '*Al-Khabā'ith*' is used to denote things which are evil and disgusting. Therefore, this sentence of the verse stresses that everything good, pure and beneficial has been made lawful for human beings and everything disgusting and harmful has been made unlawful. The reason is that human beings are not like animals whose purpose of life is limited to eating, drinking, sleeping, waking - being no more than a sort of live-die cycle. Nature has made them the master of the universe for some special purpose and that cannot be achieved without having high and pure morals. Therefore, immoral human beings would really not deserve to be counted as human beings.

That is why the Holy Qur'an has said about such people: *بَلْ هُمْ أَضَلُّ*, that is, they are like cattle, rather more astray. Now if we accept that the 'humanity' of human beings depends on the betterment of their morals, it will become necessary to concede that they must be made to totally abstain from everything which leads to the corruption of human morals. Everyone knows how environment and society affect human morals. When things outside can do that to human morals, just imagine what would be the effect of things which go inside the human body for what becomes a part of the human body must affect its ethical behaviour. Therefore, caution must necessarily be observed in all foods and drinks. And let us keep in mind that unlawful income from theft, robbery, bribery, interest, gambling and evils like that, once it becomes part of anyone's body, will inevitably remove one farther from humanity and nearer to 'satanic nature.'

Hence, says the Holy Qur'an: *يَا أَيُّهَا الرُّسُلُ كُلُوا مِنَ الطَّيِّبَاتِ وَاعْمَلُوا صَالِحًا* (O' Messengers, eat from good things [made lawful as sustenance] and do righteous deeds - 23:51). Here, the command to be righteous in deeds refers itself back to the command to eat from what is *Halāl* (lawful) because without eating *Halāl*, righteous deeds cannot be imagined. This consideration is very important specially in the case of meat which becomes an integral part of the human body. One has to be most cautious and guard against the possibility of non-*Halāl* meat entering his system through food and go on to spoil his morals. Similar is the case of meat which is physically harmful for human beings as the carrier of bacteria causing disease and death. Everyone knows that abstention

from such meat is necessary. As for things declared evil by the Shari'ah of Islam, these are definitely agents of corruption for the human body or the soul or both. Since they are dangerous for human life and morals, they were made unlawful. As opposed to this, good things, the '*Tayyibāt*' contribute to the nurture and flowering of the human body, soul and morals - so, they were made lawful. In this way, this brief sentence of the Qur'ān has given to us the philosophy and ground rules of the lawful and the unlawful, so to say, in a nutshell.

Now, as to which things are pure, beneficial and desirable and which others are impure, harmful and disgusting, the real decision of the matter lies with the desire and aversion of one's inherent good taste. This is the reason why animals declared unlawful by Islam have been considered impure and disgusting by people of good taste during every period of time - for instance, carrion and blood. Nevertheless, there come occasions when custom-based ignorance overpowers good taste and when the fine line between good and bad fades out. Or, the evil in some things is concealed. In such situations, the decision of the prophets, peace be on all of them, is the guiding and binding authority for everyone. The reason is that the noble prophets are the foremost in commonsense, decency, goodness and taste among human beings. They were specially gifted by Almighty Allah with an intrinsically sound and balanced nature and He Himself took the responsibility of their nurture and grooming. One might say that they rose to be what they were under a Divine security shield manned by angels which saw to it that their minds and hearts and morals would never be affected by any evil environment. So, things they took as evil are really evil; and what they found to be good is really good.

In Ḥujjatullah al-Bālighah, Shah Waliyyullah says that all animals declared unlawful by the Shari'ah of Islam, when observed closely, will all fit compactly under two principles: one - an animal is evil by its nature and disposition; two - the method of slaughtering the animal is wrong, as a result of which it will be considered 'dead' ('*Maitah*' - carrion), not slaughtered.

In the third verse of Sūrah al-Mā'idah, things called unlawful are nine in number. Out of these, the 'swine' is part of the first kind; the rest of the eight are in the second. By saying: *وَيُحَرِّمُ عَلَيْهِمُ الْخَبِيثَ* (He allows

them as lawful what is good [and pure] and prohibits them from what is bad [and impure] - 7:157 - AYA, rev. ed., Madinah) the Holy Qur'an declares the general rule that all evil animals are unlawful. For details, the Holy Qur'an points out to some clearly, for instance, 'the flesh of swine' and 'flowing blood'... The enumeration of the rest was entrusted to the Holy Prophet ﷺ. One sign of an animal being evil he gave was that a people could have been punished by having been transformed (*Maskh*) into the form of an animal. This indicates that the particular animal is evil by its very nature as Divine wrath transformed it into an animal. For example, says the Holy Qur'an: *وَجَعَلَ مِنْهُمْ* *الْقِرَّةَ وَالْخَنَازِيرَ* which means that some peoples have been transformed into swines and monkeys as punishment. This proves that both these kinds of animals are evil by nature - they, even if slaughtered, would still not become lawful. Then there are animals whose very doings and likings are sufficient for people of natural disposition to sense the evil inside them. For instance, there are beasts who live by injuring, tearing and eating other animals - a hard-hearted lifestyle indeed.

Therefore, when someone asked about a wolf from the Holy Prophet صلى الله عليه وسلم, he said: "Can a human being eat it?" Similarly, there are many animals among crawlers and fliers whose very nature is to hurt or snatch away things, for instance, the snake, scorpion, house-lizard, fly, or a kite and falcon and others like them. So, the Holy Prophet صلى الله عليه وسلم set the rule that animals among beasts which tear animals apart with teeth, such as the lion and the wolf and others of their kind, and animals among birds such as the falcon and the hawk and others of their kind which hunt with their claws, are all unlawful; or, animals which are by nature mean and low or get themselves befouled with impurities, such as the rat or animals which eat carrion, or the donkey and similar others, all fall under the category of animals the physical properties and harmfulness of which is readily sensed by any human being with a normal mind and temperament.

To recapitulate, we can say that the animals which have been made unlawful under the Shari'ah of Islam are of two kinds: Those intrinsically evil and those which are not evil by themselves but they have not been slaughtered following the method of slaughtering animals ordained by Almighty Allah. This includes all other options such

as the animal was not slaughtered at all - but was killed by shock or blow - or the act of slaughtering did take place, but rather than pronounce the name of Allah on it, a name other than that of Allah was recited, or just no name was pronounced by knowingly omitting the name of Allah at the time of slaughter. Such *Dhibh* or slaughter is equally untrustworthy and invalid in view of the Sharī'ah. In fact, this is very much like having 'killed' an animal without proper slaughter.

Something worth attention here is that everything one eats and drinks comes to him as a blessing from Allah, but, excepting the animals, no restriction has been imposed on cooking or eating anything from them other than that which would make it necessary for you to say '*Allāhu-Akbar*' or '*Bismillāh*' invariably before cooking and eating, as if, that food would not be lawful without it. At the most, the saying of '*Bismillāh*' at the time of eating and drinking anything has been classified as desirable or recommended ('*Mustahabb*' : acts the neglect of which is not punished by Allah, but the performance of which is rewarded). Contrary to this is the matter of animals, for it has been made necessary ('*Wājib*') that the name of Allah be invoked while slaughtering them - and if, anyone were to leave out the name of Allah at the time of the slaughter, the animal was declared to be carrion, and unlawful: What is the wisdom behind it?

A little deliberation makes it clear that the lives of all living beings are equal in a way. Therefore, the act of one life form whereby another life form is slaughtered and exterminated should, obviously, be not permissible. Now, for those it has been made permissible, it is a major reward from Allah. That is why the realization of the presence of this Divine blessing and the expression of gratitude for it has been made necessary at the time of slaughtering the animal. This is contrary to the case of things like grains and fruits - their very growth is for the sole purpose that human beings use them up to fulfill their needs. Therefore, the saying of '*Bismillāh*' only whenever used has been placed at the level of being desirable ('*Mustahabb*') - it has not been made necessary ('*Wājib*': a duty which, if not done, brings punishment).

There is yet another reason. There was a lingering custom from the days of *Jāhiliyyah* that disbelievers used to pronounce the names

of their idols while slaughtering animals. The Shari'ah of Islam transformed this un-Islamic custom into a wonderful act of worship by making it necessary to invoke the name of Allah instead. This was functionally the most appropriate strategy that some correct name instead of the false one be proposed, otherwise it would have been difficult to wean people away from ongoing customs and habits.

The slaughter of the people of the Book

The second sentence of the Verse is: **وَلَكُمْ مِمَّا فَرَغْنَا لَهُمُ الْكُتُبُ حَلَالٌ كَمَا هَلَالٌ لَكُمْ وَلَكُمْ مِنْهَا حَلَالٌ** (and the food of the people of the Book is lawful for you, and your food is lawful for them ...). According to the consensus of *Ṣaḥābah* and *Ṭabi'īn* (the Companions and their Successors), the word '*Ṭa'ām*' (food) at this place means 'properly slaughtered animals' (*Dhabīḥah*). This is what has been reported from Sayyidnā 'Abdullāh ibn 'Abbās, Abū ad-Dardā', Ibrāhīm, Qatādah, al-Suddī, Ḍaḥḥāk and Mujāhid, may Allah be pleased with them all (Rūḥ al-Ma'ānī and al-Jaṣṣās) - because, in foods of all other kinds, the people of the Book and the idolators and all other disbelievers are just the same as bread, flour, lintels, beans, rice, fruits and similar other eatables need no slaughtering. For Muslims, eating that kind of food, of course, when procured by any lawful means, is permissible - and conversely, when they procure it from Muslims, it is lawful for them. Thus, the essence of the sentence is that the *Dhabīḥah* (properly slaughtered animal) of the People of the Book is lawful for Muslims and the *Dhabīḥah* (properly slaughtered animal) of Muslims is lawful for the People of the Book.

At this point, there are some issues which should be considered. First of all, who are the People of the Book in the terminology of the Qur'an and Sunnah? What does 'Book' mean? And, is it also necessary that, in order to be regarded as the People of the Book, these people believe in and act according to their Book, correctly and faithfully? Here, it is obvious that the Book cannot be taken in its literal sense, that is, any written page. It can only mean a particular Book which has come from Allah. Therefore, there is a consensus of Muslim *Ummah* that 'Book' could only mean a particular Scripture about which there exists a certitude that, confirmed by the Holy Qur'an, it is the Book of Allah, for instance, the Torah, Evangile, Zabūr (Psalms) and other scriptures of Sayyidnā Mūsā and Ibrāhīm. Therefore, peoples

and nations which believe in some book and claim for it the status of a Divine Revelation - and which does not stand proved through the certain sources of the Qur'ān and Sunnah - shall not be included under the term of the People of the Book, for example, the disbelievers of Makkah, the Magians or the Zoroastrians, the idol-worshipping Hindus, the Buddhists, Aryans, Sikhs and many others.

This tells us that the Jews and Christians who are believers of the Torah and the Evangile are included within the Qur'ānic terminology of The People of the Book. The Sābians, a third people, cannot be identified precisely. Those who think that they believed in the Psalms of David (Zabūr) are inclined towards including them too among The People of the Book. Those who were convinced that they had nothing to do with the Psalms, take them to be star-worshippers. They group them together with the idolators and Magians. However, the Jews and Christians are the ones who are called The People of the Book by universal agreement. Now, we can return to the gist of the Qur'ānic injunction, that is, the *Dhabīḥah* (slaughter) of Jews and Christians is *Halāl* for Muslims and the *Dhabīḥah* of Muslims is *Halāl* for them.

As for the need to first determine the basis of calling and understanding the Jews and Christians as the People of the Book, one may ask: Is it bound with the condition that they should genuinely believe in the original Torah and Evangile and act in accordance with these? Or, even those who follow the altered Torah and Evangile and those who ascribe to Sayyidnā 'Īsā and Sayyidah Maryam, may Allah bless them both, partnership in the Divinity of God, shall be deemed as included among the People of the Book? The answer is that it is quite evident from the many clarifications of the Qur'ān that for a people to be from 'The People of the Book', it is quite enough that they accept and believe in a Scripture and claim to follow it - irrespective of how much astray they may have gone while following it.

Those to whom the Holy Qur'ān gave the title of The People of the Book were also those about whom it said at several places that these people distort their Scriptures: *مَيِّرُفُونَ الْكَلِمَ عَنْ مَوَاضِعِهِ* (5:13). It also said that the Jews took Sayyidnā 'Uzayr عليه السلام as the son of God and the Christians did the same to Sayyidnā Masih عليه السلام: *وَقَالَتِ الْيَهُودُ عُزَيْرٌ ابْنُ اللَّهِ* عليه السلام: *وَقَالَتِ النَّصَارَى الْمَسِيحُ ابْنُ اللَّهِ* (9:30). When, despite what they were and what they

did, the Holy Qur'ān insisted on calling them The People of the Book, it becomes evident that - unless the Jews and Christians were to abandon Judaism and Christianity totally - they shall continue to be the People of the Book, no matter how involved in false beliefs of their religion and dark doings they may be.

Imām al-Jaṣṣaṣ reports in Ahkām al-Qur'ān that during the *Khilāfah* of Sayyidnā 'Umar, may Allah be pleased with him, one of his governors wrote to him for advice. He said that there were some people in his area who recited the Torah and observed the Sabbath like the Jews but they did not believe in *Qiyāmah* (the Last Day). He wanted to know how he was supposed to deal with such people. Sayyidnā 'Umar wrote back telling him that they will be taken as a sect of The People of the Book after all.

Atheist Jews and Christians are not the People of the Book:

These days a very large number of people in Europe (and elsewhere) who are listed in the Census records as Jews and Christians do not really believe in the existence of God and, for that matter, do not subscribe to any institutionalized religion. They do not accept the Torah and Evangile as Scriptures, nor do they have faith in Sayyidnā Mūsā and 'Īsā (Moses and Jesus), may peace be upon them, as prophets or messengers of Allah. It is obvious that such people cannot be counted as included under the injunction governing the People of the Book simply because their names are listed as Jews and Christians in the Census records.

When Sayyidnā 'Alī رضي الله عنه said that the slaughter of some Christians of Arabia is not *Halal*, he gave a reason. He said that those people believe in nothing but drinking. His words as reported by Ibn al-Jauzī are being cited below:

روى ابن الجوزي بسنده عن علي رضي الله عنه قال لاتأكلوا من ذبائح نصارى بنى تغلب فانهم لم يتمسكوا من النصرانية بشئ الا شربهم الخمر ورواه الشافعي بسند صحيح عنه (تفسير مظهرى ص ٣٤، ج ٣ مائدة)

'Do not eat from the animals slaughtered by the Christians belonging to Banī Taghlib for they have taken nothing from the Christian faith except the drinking of wine (narrated by Al-Shafi'ī with sound authority - al-Tafsīr al-Maḥḥarī, p. 34, v. 3, al-Mā'idah)

Sayyidnā 'Alī رضي الله عنه prohibited the slaughter of the Christians of Banī Taghlib because, according to his information, they were libertines, not Christians. However, the majority of *Ṣaḥābah* and *Tabi'īn* found out that these people too were like common Christians and had never rejected their Faith. Therefore, they ruled that the slaughter of these people was also lawful. Al-Qurṭubī says in his commentary:

The majority of the Muslim jurists are of the opinion that the Dhabīḥa of Christians is lawful, whether from Banī Taghlib or from some other tribe or group. Similarly, the Dhabīḥa of every Jew is also lawful. (Tafsīr al-Qurṭubī)

In short, Christians about whom there is confirmed and certain information that they do not believe in the very existence of God or do not accept Sayyidnā Mūsā and 'Isā عليهما السلام as prophets, will not be included under the injunction governing the People of the Book.

What does the 'food' of the People of the Book mean?

Literally, '*Ṭa'ām*' means what is eaten which, in the Arabic lexicon, includes all kinds of eatables. But, the majority of the scholars of the Muslim *Ummah* hold that *Ṭa'ām* at this particular place refers to the meat of the animals slaughtered by the People of the Book because there is no distinction between the People of the Book and other disbelievers in eatables other than meat. Dry eatables like wheat, chick peas, rice and fruit are open commodities and are lawful when received from a disbeliever of any shade. Nobody differs about that. As for food which goes through human handling, the cautious practice is to avoid it since the purity (*Ṭahārah*) of utensils and hands used by the disbelievers is not reliable. It is better not to use it without the urgency of need. But, this is a situation in which the probability of impurity is the same among idolators and the People of the Book.

To sum up, it can be said that the only possible legal difference in the 'food' of the People of the Book and other disbelievers is in the meat they slaughter. Therefore, in the present verse, it is a consensus of the *Ummah* that the 'food of the People of the Book' means their properly slaughtered animal. In his famous Tafsīr, al-Qurṭubī writes:

والطعام اسم لما يؤكل والذبائح منه وهو ههنا خاص بالذبائح عند كثير من اهل العلم بالتأويل واما ما حرم من طعامهم فليس بداخل في عموم

الخطاب . (قرطبي ٧٧، ج ٦)

The word, 'Ta'am' is used for whatever is eaten, included within which are slaughtered animals as well - and here it has been used for slaughtered animals particularly. According to the view of the majority of exegetes of the Qur'an, whatever is unlawful from the 'food' of the People of the Book is not included in this generality of address (Qurtubī p. 77, v. 6).

Later, al-Qurtubī gives a detailed comment as follows:

لا خلاف بين العلماء ان ما لا يحتاج الى ذبح كالطعام الذى لا محاولة فيه كالفاكهة والبر. جائزا كله اذ لا يضر فيه قتلك احد والطعام الذى تقع فيه المحاولة على ضربين احدهما ما فيه محاولة صنعة لاتعلق لها بالدين كخبزة الدقيق وعصره الزيت ونحوه . فهذا ان تجنب من الذمى فعلى وجه التقدير . والضرب الثانى التذكية التى ذكرنا انها هى التى تحتاج الى الدين والنية. فلما كان القياس ان لا تجوز ذبائحهم كما نقول انهم لاصلاة لهم ولا عبادة مقبولة له رخص الله تعالى فى ذبائحهم على هذه الأمة واخرجها النص عن القياس على ما ذكرنا من قول ابن عباس . (قرطبي سورة مائدة ص ٧٧، ج ٦)

There is no difference of view among scholars that it is lawful to eat what requires no slaughter such as fruit and wheat for its being owned (by a non-Muslim) does not bring any damage to the eatable. However, 'food' which requires effort has two kinds: First of these is the one in which one makes or produces something which has nothing to do with religion, such as, making bread from dough or pressing oil from olives - in this case, if a Muslim were to abstain from the outcome of the effort of a disbelieving citizen of an Islamic state (*Dhimmi*), that would be an abstention simply based on temperamental distaste. The second kind needs the purifying process of slaughtering an animal properly which, in turn, requires Faith and Intention. In that case, the normal assumption would have required that the act of slaughter performed by a disbeliever should have not been acceptable very much like his acts of worship and prayer. But, Allah Almighty made their slaughtered animals specially lawful for the Muslim Community. This situation has been excepted by the express provision of

the Holy Qur'an from the general rule, as mentioned by Ibn 'Abbās رضى الله عنه. (Qurtubī - Sūrah al-Mā'idah, p. 77, v. 6)

The gist is that the 'food' of the People of the Book as it appears in this verse means - with the agreement of scholars of *Tafsīr* - food the lawfulness of which depends upon religion and belief: that is, the *Dhabīḥah* (the slaughter). Therefore, special treatment was meted out to the People of the Book in the case of this form of 'food' - because they too claim to believe in Books and Prophets sent by Allah, though their textual alterations invalidated their claim with the result that they got involved in disbelief and in ascribing partners to Allah. This was contrary to the position of disbelieving idolators who did not even claim to believe in any Scripture or Prophet or Messenger and the books or persons they believe in are neither books sent by Allah nor prophets or messengers as proved by any Word of Allah.

The Wisdom behind the Lawfulness of the slaughter of the People of the Book

The third question about the present verse is why the slaughter of the Jews and the Christians, as well as marrying their women, is made lawful for the Muslims, while all other non-Muslims have no such privilege. According to most of the Ṣaḥābah, Tabi'īn and other exegetes of the Holy Qur'an, the answer to this question is very simple. Although the Jews and Christians had distorted their original religion by making many alterations therein, yet their faith regarding these two aspects matched with the Islamic injunctions. That is, they consider it necessary to invoke the name of Allah on their slaughter as an article of faith and take an animal to be impure and unlawful as carrion without that due process.

Similar is the case in marriage - the list of the women of prohibited degree (marriage with whom is not lawful) is the same in their religion as in Islam. Also, the way it is necessary in Islam that marriage be pronounced openly, and in the presence of two witnesses, so it is with them - even in their present religion, the same injunctions continue.

The great commentator, Ibn Kathīr has reported this very position taken by most Ṣaḥābah and Tabi'īn. His words are as follows:

(وطعام اهل الكتاب) قال ابن عباس وابو امامة ومجاهد وسعيد بن جبیر

وعكرمه وعطاء والحسن ومكحول وابرهيم النخعي والسدى ومقاتل بن حيان يعنى ذبائحهم حلال للمسلمين لانهم يعتقدون تحريم الذبح لغير الله ولا يذكرون على ذبائحهم الا اسم الله وان اعتقدوا فيه تعالى ما هو منزله عنه تعالى وتقدس . (ابن كثير مائدة ص ١٩ ، ج ٣)

Ibn 'Abbās, Abū Umāmah, Mujāhid, Sa'īd ibn Jubayr, 'Ikrimah, 'Atā', Ḥasan, Makhḥūl, Ibrāhīm al-Nakh'ī, Suddī and Muqātil ibn Ḥayyān have explained 'the food of the People of the Book' as their 'Dhabā'ih' (properly slaughtered animals). These are lawful for Muslims because they consider slaughtering animals for anyone other than Allah as unlawful and do not invoke any name other than that of Allah on animals they slaughter - even if they believe in things about Almighty Allah from which the great Creator is free and far above (Ibn Kathīr, Sūrah al-Mā'idah, p. 19, v. 3).

This statement of Ibn Kathīr tells us two things: One, that all Companions and their Successors mentioned above take the 'food of the People of the Book' to mean their properly slaughtered animals (*Dhabā'ih*) and that there is a consensus of the *Ummah* that they are lawful. And the second point made clear here is that the reason why the *Dhabā'ih* of the People of the Book are lawful in the view of these revered authorities is that the issue of *Dhabīḥah* with the Jews and Christians still stays valid in accordance with the Shari'ah of Islam despite the many alterations in their religion - as they too take an animal slaughtered in the name of someone other than Allah as unlawful and that they deem it necessary to invoke the name of Allah upon the animal being slaughtered. However, it is a different matter that they fell into the polytheistic belief in Trinity whereby they started equating Allah and Masīḥ son of Maryam as one and the same. The Holy Qur'an alludes to this in the following words:

لَقَدْ كَفَرَ الَّذِينَ قَالُوا إِنَّ اللَّهَ هُوَ الْمَسِيحُ ابْنُ مَرْيَمَ

Certainly, gone infidel are those who say, "God is the Masīḥ son of Maryam (Jesus son of Mary).

The outcome is that all verses of the Qur'an concerning *Dhabīḥah* - which appear in Sūrah al-Baqarah and Sūrah al-An'am, and in which the animal slaughtered in a name other than that of Allah, as well as

the animal upon which the name of Allah was not invoked - declare both being equally unlawful. All these verses have permanent legal effect and must be acted upon for all times to come. The verse of Sūrah al-Mā'idah which declares the food of the People of the Book as lawful is also no different from the injunctions appearing in these verses because the very reason of making the food of the People of the Book lawful is no other than that their present religion also maintains that an animal slaughtered by invoking the name of someone other than Allah upon it, and the animal upon which the name of Allah was not invoked, are both unlawful. Even today, the current copies of the Torah and the Evangile do have injunctions of slaughter and marriage almost similar to those of the Qur'ān and Islam, details of which will appear a little later.

However, the possibility is there that some ignorant people act in a manner which goes against this injunction of their own religion - very similar to many ignorance-based customs which have found currency among uninformed sections of Muslim masses as well: but, these cannot be called the religion of Islam. Noticing this behaviour of the ignorant masses among the Christians of that time, the revered Tabi'īn (the successors to the Companions) took the position that Allah, when He made the food of the People of the Book lawful, already knew what they did with their slaughtering of animals. Some would invoke the name of Masīḥ or 'Uzayr upon it while others would invoke no name at all. So, we see that the verse of Sūrah al-Mā'idah, which declares the 'food' of the People of the Book as lawful, acts as a particularizer or a sort of abrogator of the verses of the Sūrahs al-Baqarah and al-An'ām on the subject of the slaughter of animals, verses in which the slaughtering of animals in a name other than that of Allah or slaughtering them without invoking the name of Allah has been declared unlawful.

According to the view of great 'Ulamā', the respected Tabi'īn, who declared that an un-named slaughter of an animal, or of one upon whom a name other than that of Allah was invoked were lawful, also knew that the original religion of the People of the Book was not different from what Islam enjoined and it was only the ignorant section of their masses which made such errors. Despite this, these revered elders did not exclude the ignorant masses of the People of the Book

from the general rule governing the People of the Book. They upheld, in matters relating to the slaughter of animals and to marriage, the same injunction which governed their forefathers and the followers of the original religion, that is, the slaughter of animals by them and the marriage with their women was permissible.

In Aḥkāṁ al-Qur'ān, Ibn al-'Arabī says that he asked his teacher, Abū al-Faṭḥ al-Maqdisī about the Christians of his time who slaughtered an animal invoking a name other than that of Allah upon it - for example, they invoked the name of Masīḥ or 'Uzayr at the time of slaughter - how could their *Dhabīḥah* become lawful, he wondered. The reply given by Al-Maqdisī was:

هم من آبائهم وقد جعلهم الله تعالى تبعاً لمن كان قبلهم مع علمه بحالهم
(أحكام ابن العربي ص ٢٢٩، جلد اول)

The injunction that governs them is like that of their forefathers. This condition (of the People of the Book) was already within the knowledge of Almighty Allah, but, He has made them subordinate to their forefathers. (Aḥkāṁ, Ibn al-'Arabī, p. 229, v. 1)

In recapitulation, it can be said that in the sight of the learned elders of the Muslim Community who have permitted the consumption of animals slaughtered by the People of the Book - those upon which the name of Allah was not invoked, rather, invoked thereupon was a name other than that of Allah - it was clear that these things are an integral part of the real faith of the People of the Book and are equally unlawful there. But, these learned elders allowed the erring masses also to be governed by the injunction which applies to the original People of the Book. It was for this reason that they allowed the animals slaughtered by the People of the Book to be taken as lawful. On the other side, the majority of the Ṣaḥābah, Tabi'īn and *Mujtahid* Imāms noticed that the animals slaughtered by the misled masses among the People of the Book, whether in a name other than that of Allah or without the name of Allah, were after all against the Islamic injunction but, in addition to that, the practice was against the current faith of the Christians themselves. Therefore, what they do should not affect the standing injunctions. So, they gave the verdict that the animals slaughtered by such people are not included under 'the food of the People of the

Book' and, as such, there is no reason to support its lawfulness. Also, the act of going by the saying that their own wrong doing had caused particularization or abrogation in the verses of the Qur'ān is not correct in any manner whatsoever.

Therefore, all leading authorities in Tafsīr - Ibn Jarīr, Ibn Kathīr, Abū Ḥayyān and others - are unanimous in holding that there was no abrogation (*Naskh*) in the verses of Sūrah al-Baqarah and Sūrah al-An'ām. This is also the favoured position of the majority of Ṣaḥābah and Tabi'īn as cited earlier with reference to Ibn Kathīr and as mentioned in Tafsīr al-Baḥr al-Muḥīṭ in the following words:

وذهب الى ان الكتابي اذا لم يذكر الله على الذبيحة وذكر غير الله لم
توكل وبه قال ابو الدرداء وعباد بن الصامت وجماعة من الصحابة وبه
قال ابو حنيفة وابو يوسف ومحمد وزفر و مالك وكره النخعي والثوري اكل
ماذبح واهل به لغير الله (البحر المحيط ص ٤٣١، ج ٤)

And they believe: If a *Kitābī* (of the People of the Book) were to omit the name of Allah while slaughtering an animal, or were to invoke upon it a name other than that of Allah, it is not permissible to eat it. And this is the saying of Abū ad-Dardā', 'Ubadah ibn Ṣāmit and a group of the Ṣaḥābah. And this is also the belief of Abū Ḥanīfah, Abū Yūsuf, Muḥammad, Ṣāfir and Malik. However, An-Nakh'ī and Ath-Thawrī rule the eating of it as *Makrūh* (reprehensible). (Al-Baḥr al-Muḥīṭ, p. 431, v.5)

The drive of comments made this far is to establish that the Ṣaḥābah, the Tabi'īn and the pious elders of the *Ummah* had no difference of opinion among them about the understanding that during the period of the revelation of the Qur'ān the original faith of the People of the Book also ruled that an animal, upon which a name other than that of Allah was invoked, or was omitted deliberately, was unlawful. The same was the case with the lawfulness and unlawfulness of marriage - the original code of the People of the Book right upto the present times is in accord with the Shari'ah of Islam in most elements.

Whatever was found to be contrary with the People of the Book was simply a matter of errors made by their uninformed masses. This is not their faith.

Existing copies of the Torah and Evangile available world-wide in

many languages also confirm this view. Please refer to the Old Testament which is equally acceptable to contemporary Jews and Christians. Given below are injunctions about slaughtered animals:

1. "And the fat of the beast that dieth of itself, and the fat of that which is torn with beasts, may be used in any other use: but ye shall in no wise eat of it." (Leviticus 7:24)
2. "Notwithstanding thou mayest kill and eat flesh in all thy gates, whatsoever thy soul lusteth after, according to the blessing of the LORD thy God which He hath given thee: the unclean and the clean may eat thereof, as of the roebuck, and as of the hart." (Deuteronomy 12:15)
3. "That ye abstain from meats offered to idols, and from blood, and from things strangled, and from fornication." (Acts 15:29)
4. "But I say, that the things which the Gentiles sacrifice, they sacrifice to devils, and not to God: and I would not that ye should have fellowship with devils. Ye cannot drink the cup of the Lord, and the cup of devils." (I Corinthians 10:20, 21)
5. "We have written and concluded that they observe no such thing, save only that they keep themselves from things offered to idols, and from blood, and from strangled, and from fornication." (Acts 21:25)

These statements of the Torah and Evangile are from what is widely circulated by contemporary Bible Societies in which, despite hundreds of alterations and revisions, these things have lingered on and are almost similar to the injunctions of the Holy Qur'an. For instance, Verse 3 of Sūrah al-Mā'idah says:

حُرِّمَتْ عَلَيْكُمُ الْمَيْتَةُ وَالدَّمُ وَلَحْمُ الْخِنْزِيرِ وَمَا أُهِلَّ لِغَيْرِ اللَّهِ بِهِ وَالْمُنْخَنِقَةُ
وَالْمُوقُودَةُ وَالْمُتَرَدِّيَةُ وَالطَّيْحَةُ وَمَا أَكَلَ السَّبْعُ إِلَّا مَا ذُكِّرْتُمْ وَمَا ذُبَحَ عَلَى
النُّصَبِ (المائدة ٣)

Prohibited for you are: the carrion, the blood, the flesh of swine, and what has been invoked upon with (a name) other than that of Allah, and the animals dead by strangulation, dead by blow, dead by a fall, dead by goring, and that which a beast has eaten - unless you have properly slaughtered it - and that which has been slaughtered before the idols ...

This verse has declared that the carrion, the blood, the flesh of swine, and what has been invoked upon with (a name) other than that of Allah, and animals dead by strangulation, dead by blow, dead by a fall, dead by goring, and that which has been torn by a beast are all unlawful. In the statements of the Torah and Evangile cited above, all these have also been ruled as unlawful, except the 'flesh of the swine.' Though, the details of the animals dead by blow or dead by a fall or dead by goring have not been specifically mentioned there, but they (almost all) are included under the injunction for those naturally dead (carrion) or dead by strangulation.

Similarly, the Holy Qur'ān has stressed upon the invoking of the name of Allah when slaughtering an animal: فَكُلُوا مِمَّا ذُكِرَ اسْمُ اللَّهِ عَلَيْهِ (Eat out of what the name of Allah has been recited upon - 5:4) and it has prohibited an animal upon which the name of Allah has not been recited: وَلَا تَأْكُلُوا مِمَّا لَمْ يُذْكَرِ اسْمُ اللَّهِ عَلَيْهِ (Do not eat out of what the name of Allah has not been recited upon - 6:121). The quotation No. 2 from the Bible places a similar stress on slaughtering an animal by invoking the name of Allah.

So it is with most matters relating to marriage as well where the faith of the People of the Book corresponds to the Shari'ah of Islam. Please see Leviticus (6-19) which gives a long list of prohibitions most of them being what the Holy Qur'ān has declared to be unlawful. So much so that it clearly states the unlawfulness of combining two sisters جمع بين الاختين in the bond of marriage at the same time and the unlawfulness of intercourse during menstruation as well. In addition to that, the Bible also says that marriage with idolators and disbelievers is not permissible. The words of the present Torah are:

"Neither shalt thou make marriages with them; thy daughter thou shalt not give upto his son, nor his daughter shalt thou take unto thy son." (Deuteronomy 7:3)

The Rationale of the Lawfulness of Animals Slaughtered by Jews and Christians: A Gist

The only reason why the animals slaughtered by the People of the Book and marriage with their women has been made lawful and the animals slaughtered by other disbelievers and marriage with their women has been made unlawful by the Qur'ān is that in both these

cases the true and original faith of the People of the Book is in accord with the Law of Islam even today. Anything contrary to that found among their masses is no more than an ignorant practice - it has nothing to do with their original religion. Therefore, the majority of the Ṣaḥābah, the Ṭābi'īn and the *Mujtahid* Imāms maintain that there is no contradiction, or abrogation, or particularization in all the verses of Sūrah al-Baqarah and Sūrah al-An'ām. No doubt, some scholars of Ṭābi'īn have taken this ignorant practice to be under the rules governing the People of the Book (holding that their slaughter, even against the injunctions of their original religion, is permissible), and have taken the view that verses of Sūrah Al-An'ām and Sūrah Al-Baqarah are abrogated or qualified by the present verse. But this view of theirs is based on the saying of the Christians: إِنَّ اللَّهَ هُوَ الْمَسِيحُ ابْنُ مَرْيَمَ (Allah is Jesus son of Mary - 5:72). It means that even if they were to say the name of Allah, they would invariably be alluding to Jesus the son of Mary. Therefore, when they slaughter an animal, the saying of the name of Allah and saying the name of Jesus upon it becomes equal. This was the ground on which the revered group of Ṭābi'īn had permitted the use of animals slaughtered by the People of the Book. Ibn al-'Arabī has elaborated this aspect of the subject in his *Aḥkām al-Qur'an* (Ibn al-'Arabī, *Aḥkām*, p. 229, v. 1).

The Most Sound and Preferred View

But the stand taken on this question did not find acceptance with the learned majority of the Muslim *Ummah* as mentioned earlier with citation from Ibn Kathīr and Tafsīr al-Baḥr al-Muḥīṭ while Tafsīr Mazḥarī, after reporting various positions on the subject, concludes as follows:

والصحيح المختار عندنا هو القول الاول. يعنى ذبائح اهل الكتاب تاركا للتسميه عامداً او على غير اسم الله تعالى لا يוכל ان علم ذلك يقيناً او كان غالب حالهم ذلك وهو محمل النهى عن اكل ذبائح نصارى العرب ومحمل قول على رضى الله عنه لا تاكلوا من ذبائح نصارى بنى تغلب فانهم لم يتمسكوا من النصرانية بشئ الا يشربهم الخمر. فلعل عليا علم من حالهم انهم لا يسمون الله عند الذبح او يذبحون على غير اسم الله ، هكذا حكم نصارى العجم ان كان عادتهم الذبح على غير اسم الله تعالى غالباً لا يוכל ذبيحتهم ولا شك ان النصارى فى هذا الزمان لا يذبحون بل

بالوقد غالباً فلا يحل طعامهم . (تفسير مظهرى ص ٣٩ ج ٣)

And the most sound and preferred view with us is the very first one, that is, the animals slaughtered by the People of the Book on which the recitation of the name of Allah has been left out intentionally, or they have been slaughtered in a name other than that of Allah, are not lawful - if it becomes certain that the name of Allah was not recited upon them, or a name other than that of Allah was taken, or this becomes the common habit of the People of the Book. And elders who have prohibited the eating of animals slaughtered by the Christians of Arabia had this very objective behind their saying. Similarly, when Sayyidnā 'Alī said that eating from the animals slaughtered by the Christians of Banī Taghlib was not permissible because they took nothing from the religion of Christianity but the drinking of wine, the justification of his saying so lies in the likelihood of his having the proof that people from the tribe of Banī Taghlib do not invoke the name of Allah upon animals they slaughter, or else, they invoke a name other than that of Allah. The same injunction holds good for Christians belonging to areas outside the Arabian Peninsula, that is, if it becomes a matter of habit with them that they would slaughter an animal in a name other than that of Allah, then, it is not permissible to eat from what they slaughter. As for the contemporary Christians, they just do not 'slaughter' to begin with - instead, they generally kill the animal by stunning or shocking it. Therefore, their Dhabīḥah is not lawful. (Tafsīr Maḥzarī, p.37, v. 3)

Muṭī 'Abduh of Egypt and His Error of Judgement

Details of this debated issue have been reported here at some length because, at this point, the well-known 'Ālim of Egypt, Muṭī 'Abduh has made a grave error of judgement about which there is no doubt that it is wrong and squarely against the Qur'ān and Sunnah and the consensus of the Muslim *Ummah*. In his Tafsīr Al-Manār, the learned author has made a twofold mistake at this juncture.

First, he has inflated the sense of the People of the Book to the limit that it has come to include the disbelievers, the Magians, the Hindus, the Sikhs and others, within it, making it so general that the very differentiation between disbelievers, the People of the Book and those

other than the People of the Book which spreads out all over the Holy Qur'an turns out, God forbid, to be without meaning and substance.

The second error, still greater, was that he expanded the sense of 'the Food of the People of the Book' to accomodate every 'food' of the People of the Book, and which he ruled as lawful without any condition - whether they slaughter the animal, or not; and whether they invoke the name of Allah upon it, or not. Taking the circumstances and methods of their eating an animal as the criterion, he made it all *Halāl* (lawful) for the Muslims.

When this *Fatwā* of his was published in Egypt, the religious scholars of Egypt itself, and those all around the whole world, lost no time in rejecting it as erroneous. Articles and treatises were written. Public demands were universally made that Mufti 'Abduh should be removed from his Office of *Iftā'*. On the other side, the disciples of the learned Mufti along with some Westophiles joined in with counter debates because this *Fatwā* was a panacea of their problems. It opened a flood-gate through which Westernized people could feel comfortable with eating every 'food' which came from the Jews and Christians of Europe, even from the atheists, as *Halāl* for them.

It is a great miracle of Islam that the hearts of Muslims at large are never satisfied with an act against the Shari'ah, no matter how great was the 'Alim or religious scholar who committed it. This happened here too. Muslims all over the world took a stand against this error. The issue, however, did subside at that time. But, the players of the issue still exist as modern deviators or secularists who would love to prepare a new edition of Islam in which every European-oriented absurdity could be accomodated. Claiming to address the material desires of the younger generation, they have revived the same debate in the name of modernity and recension with the airs of personal research. Unfortunately, they are repeating Mufti 'Abduh. It was for this reason that this debate was taken up in some details. *Alḥamdulillah*, what was necessary has been said here. Full details, if needed, may be seen in my treatise, '*Islāmī Dhabīḥah*'.

The lawfulness of the 'food' of the Muslims for the People of the Book: What does it mean?

There is another issue here which needs to be resolved. The Qur'an

says that the 'food' of the People of the Book is lawful for Muslims. This is obvious. But, there is the other part of the injunction, that is, the 'food' of the Muslims is lawful for the People of the Book - what does that mean? The People of the Book who just do not believe in what the Qur'ān says would hardly care for what is lawful, or unlawful. What, then, is the use of saying it?

In Tafsīr Al-Baḥr al-Muḥīṭ and elsewhere, it has been pointed out that this injunction too is intended for Muslims themselves whereby they are being told that the animals slaughtered by them are lawful for the People of the Book. Therefore, if they were to feed a non-Muslim from the People of the Book out of an animal slaughtered by them, it would be no act of sin. In other words, they can give to a *Kitābī* (one of the People of the Book) a part of the animal they have sacrificed. Had their *Dhabīḥah* been unlawful for the People of the Book, it would have not been permissible for Muslims to have them eat it. Thus, this injunction which apparently seems to relate to the People of the Book is, in reality, addressed to Muslims themselves.

Yet another basis for such intent appears in Rūḥ al-Ma'ānī on the authority of al-Suddī. It says that some animals, or some parts thereof, were made unlawful in the religion of Jews and Christians belonging to the People of the Book, as punishment. Therefore, that animal, or its parts, are obviously not included in the 'food' of the People of the Book. But, this sentence of the verse makes it quite clear that an animal lawful for Muslims - though not accepted as lawful by the People of the Book - shall remain lawful for Muslims, if it comes to them after having been slaughtered by the People of the Book. A hint towards it has been made in the words: *وَوَطَّأْنَاهُمْ حِلَّ لَكُمْ* (and your food has been made lawful for them) appearing in the verse. So, looking at the meaning from this angle as well, the connection of the sentence with Muslims becomes clear once again.

At this point, the author of Tafsīr al-Maḥzarī adds that the sentence has actually spelled out the difference that exists between two matters of importance - that of animals slaughtered and marriages made. There is a difference here. Animals slaughtered are lawful both ways - the *Dhabīḥah* of the People of the Book for Muslims and the *Dhabīḥah* of Muslims for the People of the Book. But, the matter

of the marriage of women does not work in that manner for the women from the People of the Book are lawful for Muslims while Muslim women are not lawful for the People of the Book.

Dhabībah of Apostates

The third problem relates to a Muslim who, God forbid, becomes a Jew or Christian. He will not be included under the definition of the People of the Book - instead, he is a *Murtadd* or apostate. An animal slaughtered by him is unlawful in accordance with the consensus of the Muslim *Ummah*. Similarly, a Muslim who has become a *Murtadd* because of rejecting any of the essentials and absolute beliefs of Islam - even though, he claims to believe in the Qur'an and the *Rasul* of Allah ﷺ - will also be a *Murtadd*. An animal slaughtered by him will not be lawful. Simply reading the Qur'an or claiming to be acting in accordance with it will not entitle him to be counted as one of the People of the Book. However, if someone from another religion or community were to abandon his religion or community and become a Jew or Christian, he or she would be included under the category of the People of the Book - and an animal slaughtered by him or her would be considered lawful.

Marriage : Major Points of Guidance for Muslims

The third sentence of this verse reads as follows:

وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ إِذَا
اتَّيَمُّوهُنَّ أَجُورُهُنَّ مُحْصَيْنِينَ غَيْرَ مُسْفِحِينَ وَلَا مُتَّخِذِي أَخْدَانٍ

... and [it is lawful for you to marry] good women from among believers, and [also] good women from among those given the Books before you, provided you give them their dowers, binding yourself in marriage, not going for lust, nor having paramours."

Here, the word "*al-Muḥṣanāt*" appears at both places (translated as 'good women') which, according to the Arabic usage, could have two meanings: One, free women as opposed to bondwomen; two, chaste women. Lexically, both meanings can be taken at this place.

Therefore, out of the exegetes, Mujāhid has taken the sense of free women while explaining "*al-Muḥṣanāt*" which would mean that free women from among the People of the Book are lawful for Muslims -

bondwomen are not. (Mazhari)

But, in the sight of the majority of the learned Ṣaḥābah and Ṭabī'īn, "*al-Muḥṣanāt*" at this place means chaste women and the verse means that the way marriage with chaste Muslim women is lawful, so too is the marriage with chaste women from among the People of the Book. (Aḥkām al-Qur'ān, Jaṣṣaṣ & Mazhari)

However, there is a consensus of the majority of authentic scholars that the restriction of 'chaste women' here does not mean that the very marriage with non-chaste women is unlawful. In fact, this restriction serves a purpose. It provides motivation to take a better and more appropriate course in marriage (Mazhari & others). One can marry a Muslim woman or a woman from among the People of the Book, both are lawful; but one should never lose sight of the approach that marriage when entered into should be with a chaste woman. Joining up with sinning women in the bond of marriage is not what a good Muslim would elect to do. The truth is that marrying a vice-prone and unreliable woman amounts to ruining one's life in this world and in the Hereafter both. This should be avoided.¹ So, the restriction of 'the People of the Book' in this verse proves that marrying women from among non-Muslims, who are not included under the definition of 'the People of the Book,' is not lawful, and on this there is a consensus of the Muslim *Ummah*.

Marriage with other Non-Muslim Women

As said earlier, out of all groups of non-Muslims in this period of time, the Jews and the Christians are the only two religious communities which can be counted as 'The People of the Book.' None of the rest belonging to present religions are included within 'The People of the Book.' This general rule applies to fire-worshipping Magians, idol-worshipping Hindus, or Sikhs or Aryans or Buddhists and to others similar to them. This is so because the term, The People of the Book, refers only to those who profess to believe in a Book, the veracity of which as Heavenly Scripture and Divine Revelation stands proved on the basis of definite texts of the Qur'ān and Sunnah. Obviously, these

1. However, if an unchaste woman repents from her life truly, she will be included in 'good women' and marrying her is not only permissible, but also a commendable act (Editor).

are no others but the Torah and Evangile, the followers of which still exist in this world and in this time. As for the Zabūr (The Book of Psalms) and the *Ṣuḥūf* (Scriptures; plural of *Ṣaḥīfah*) of Sayyidnā Ibrāhīm عليه السلام, they are neither preserved nor have people who claim to follow them. In so far as 'sacred books' of other religions like the Vedas, the Granth, the Book of Zartusht and similar others are concerned, the proof of their being some Scripture or Revelation on valid religious grounds does not exist. The probability that the teaching of Buddha or the books mentioned above could be transformed corollaries of Zabūr or the *Ṣuḥūf* of Sayyidnā Ibrāhīm عليه السلام are no more than abstract assumptions not based on solid proof. Thus, with the full consensus of the Muslim *Ummah*, it stands established that, out of different faiths present in this age, the women from among the Jews and Christians are the only ones Muslims can marry lawfully. Marriage with a woman from any group or faith other than the two - unless she becomes a Muslim - is unlawful.

The verse of the Holy Qur'an: وَلَا تَنْكِحُوا الْمُشْرِكَةَ حَتَّىٰ يُؤْمِنَ (2:221) is there to confirm this implication. It means: 'And do not marry the *Mushrik* women unless they come to believe' - and all nations and peoples other than The People of The Book are included under the identity of "*al-Mushrikāt*" (disbelieving women).

So, here we have two verses of the Qur'an which bring this subject in a clear focus. One of them, cited immediately above, says that marriage with disbelieving women is not lawful unless they become believing Muslims. The second verse is from Sūrah al-Mā'idah, the one we are talking about right now. This tells us that marriage with women from among the People of the Book is lawful.

Therefore, the learned among the Ṣaḥābah and the Tābi'īn determined the unambiguous sense of the two verses by saying that the marriage of a non-Muslim woman with a Muslim man should just not take place as a matter of principle. But, this verse of Sūrah al-Mā'idah has exempted the women of The People of the Book from this generality. As such, the marriage of a Muslim with a woman from any community other than that of the Jews and Christians will not be valid unless she becomes a Muslim.

The Problem in Marrying Jewish and Christian Women

As for marrying Jewish and Christian women, that is, women from among the People of the Book, even this is not permissible in the sight of some noble Companions of the Holy Prophet ﷺ.

This happens to be the understanding of Sayyidnā 'Abdullāh ibn 'Umar رضى الله عنه. When someone asked him about it, he would say: What Allah Almighty says in the Holy Qur'ān is clear: 'Do not marry disbelieving women until they become Muslims' - and I am not aware of a greater *Shirk* (associating others in the Divinity of Allah) than that of a person who openly declares Jesus son of Mary or some other created servant of Allah as her *Rabb*, Lord or God. (Aḥkām al-Qur'ān, Jaṣṣaṣ)

There was an occasion when Maimūn ibn Mihrān asked Sayyidnā 'Abdullāh ibn 'Umar رضى الله عنه: 'We live in a country with a larger population of The People of the Book. Can we marry their women and eat from the animals they slaughter?' In his reply, Sayyidnā 'Abdullāh ibn 'Umar رضى الله عنه simply recited these two verses, firstly the one which prohibits marriage with disbelieving women, and then, this very verse of Sūrah al-Mā'idah which declares the lawfulness of marriage with women from The People of the Book.

Maimūn ibn Mihrān said: ' I too read these two verses in the Qur'ān and I know them. But, my question is: In view of these two, what religious ruling do I follow? In reply to this question, Sayyidnā 'Abdullāh ibn 'Umar رضى الله عنه once again recited these very two verses before him, and said nothing on his own. This has been interpreted by the 'Ulamā of the *Ummah* that Sayyidnā 'Abdullāh ibn 'Umar was not at peace with himself even in this matter of marriage being lawful with women from among the People of the Book.

Though, in the view of the majority of the Ṣaḥābah and the Tābi'īn, marriage with women from among the People of the Book is lawful in itself as in the Qur'ān, but marrying them is not free of the many consequential disorders for one's own person, his children, rather for the whole Muslim Community, which would necessarily emerge as borne by experience. This was the basis on which they too considered marriage with women from among the People of the Book as *Makrūh* (reprehensible).

Following a narration from Shaqīq ibn Salmah, al-Jaṣṣāṣ reports in *Aḥkām al-Qur'ān*: When Sayyidnā Ḥudhayfah ibn Yamān رضى الله عنه came to Madā'in, he married a Jewish woman there. When Sayyidnā 'Umar رضى الله عنه found out about it, he wrote a letter to him asking him to divorce the woman. Sayyidnā Ḥudhayfah رضى الله عنه wrote back: 'Is she unlawful for me?' Then, in reply, Sayyidnā 'Umar رضى الله عنه wrote: 'I am not saying that she is unlawful, but women from these people do not generally have chastity, therefore, I apprehend lest immodesty finds entry into your homes through this channel.' And Imām Muḥammad ibn Ḥasan رحمه الله عليه has, in *Kitāb al-Āthār*, reported this event from Imām Abū Ḥanīfah. He says when Sayyidnā 'Umar رضى الله عنه wrote another letter to Sayyidnā Ḥudhayfah رضى الله عنه, his words were:

اعزم عليك ان لا تضع كتابى حتى تخلى سبيلها فانى اخاف ان يقتديك
المسلمون فيختاروا النساء اهل الذمة لجمالهن وكفى بذلك فتنه لنساء
المسلمين . (كتاب الآثار ص ١٥٦)

I hereby put you on oath that you would, before you put down this letter from your hands, divorce and release her, because I fear other Muslims start following you and begin choosing women from among the People of the Book because of their beauty, (bypassing Muslim women in the process). What greater trial could there be for Muslim women? (*Kitāb al-Āthār*, p. 156)

After reporting this event, Muḥammad ibn Ḥasan رحمه الله عليه has said that this is the view the Ḥanafī jurists take when they do not actually rule such marriage as unlawful but, because of other disorders and drawbacks, do take it to be *Makrūh* (reprehensible). And 'Allamāh Ibn Humām has reported in *Faṭḥ al-Qadīr* that an event similar to that of Sayyidnā Ḥudhayfah also came to pass with Talḥah and Ka'b ibn Mālik - they married women from The People of the Book on the basis of the verse in Sūrah al-Mā'idah. When Sayyidnā 'Umar رضى الله عنه heard about it, he became very angry and ordered them to divorce these women (Mazharī).

As for the age and time of Sayyidnā 'Umar al-Fārūq, the great *Khalīfah* of Islam, may Allah be pleased with him, it was the best of ages. At that time, any probability, that a Jewish or Christian woman would succeed in hatching some conspiracy against Islam and Muslims by

entering into the life of a Muslim as his wife, was simply unimaginable. The only danger that lurked before them during those days was to the moral insulation of their families and homes which could be adversely affected by taking in women of doubtful integrity as wives, or that people start preferring them because of their beauty as a result of which Muslim women would be thrown in deep trouble. But, here is the Fārūqian farsightedness which keeps track of dangling disharmonies in Muslim lives and compels people of such stature to divorce the women they had taken as wives. Had they been anywhere closer to the current scenario, just imagine the kind and extent of his reaction! The problem with these people is that of dubious identity. Such people would not mind if their names are registered in the census records as Jewish or Christian, but there are many among them who take Judaism or Christianity to be a nuisance in their personal view of things and ideas. They do not believe in the Torah or the Evangile, nor do they attest to the prophethood of Moses and Jesus, may peace be upon them. In matters of belief, they are totally secular, even atheistic. That they let themselves be called Jews and Christians is no more than some communal, societal or formal convenience.

It is obvious that women from people of such background are not lawful for a Muslim under any circumstances. And even if they happen to adhere to their religion, still, accomodating them in the midst of a Muslim family amounts to bringing material and spiritual ruination on it. The conspiracies mounted against Islam and Muslims through this inroad during the later period, and which are not uncommon even today, have a tragic lesson of their own. A woman succeeding as a terminator of Muslim national power is no fiction. Such eventuality is within the realm of possibility. How can any sensible person go, irrespective of the considerations of the lawful and unlawful, even close to taking such a step?

Conclusion

According to the Qur'ān and Sunnah, and the conduct of the noble *Ṣaḥābah* of the Holy Prophet صلى الله عليه وسلم, it is incumbent upon Muslims that they should totally abstain from marrying contemporary *Kitābī* (Jewish and Christian) women. Towards the end of the verse, instructions have also been given that should anyone has to have a

woman from among the People of the Book, then, this should be done by entering into a proper marriage contract, by keeping the woman as wife and by paying dower and fulfilling other rights. Keeping them as paramours or mistresses or indulging in open fornication with them is forbidden (*Ḥaram*).

Verses 6 - 7

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ
وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ وَامْسَحُوا بِرُءُوسِكُمْ وَأَرْجُلَكُمْ إِلَى
الْكَعْبَيْنِ ۖ وَإِنْ كُنْتُمْ جُنُبًا فَاطَّهَّرُوا ۚ وَإِنْ كُنْتُمْ مَرْضَىٰ أَوْ عَلَىٰ
سَفَرٍ أَوْ جَاءَ أَحَدٌ مِنْكُمْ مِنَ الْغَائِطِ أَوْ لَمَسْتُمُ النِّسَاءَ فَلَمْ تَجِدُوا
مَاءً فَتَيَمَّمُوا صَعِيدًا طَيِّبًا فَامْسَحُوا بِوُجُوهِكُمْ وَأَيْدِيكُمْ
مِنْهُ ۗ مَا يُرِيدُ اللَّهُ لِيَجْعَلَ عَلَيْكُمْ مِنْ حَرَجٍ وَلَكِنْ يُرِيدُ
لِيُطَهِّرَكُمْ وَلِيُتِمَّ نِعْمَتَهُ عَلَيْكُمْ لَعَلَّكُمْ تَشْكُرُونَ ﴿٦﴾ وَاذْكُرُوا
نِعْمَةَ اللَّهِ عَلَيْكُمْ وَمِيثَاقَهُ الَّذِي وَاثَقَكُمْ بِهِ إِذْ قُلْتُمْ سَمِعْنَا
وَأَطَعْنَا وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ عَلِيمٌ بِذَاتِ الصُّدُورِ ﴿٧﴾

O those who believe, when you rise for *Ṣalāh*, wash your faces and your hands upto the elbows, and make *Mashḥ*¹ of your heads and (wash) your feet upto the ankles. And if you are in a state of major impurity², cleanse yourselves well (by taking bath). And if you are sick, or in travel or one of you has come after easing himself, or you have touched women, and you find no water, then, go for some clean dust and wipe your faces and hands with it. Allah does not like to impose a problem on you; He, rather likes to cleanse you and to complete his favour upon you, so that you may be grateful. [6] And remember Allah's favour upon you and His covenant that He has taken from you when you said, "We have listened and obeyed." And fear Allah. Allah is all-aware of what lies in the hearts. [7]

1. *Mashḥ*: Passing wet hands over something.

2. *Janābah*: Major Impurity: See note under 4:43, Vol. II.

Some injunctions of the Shari'ah concerning the conduct of worldly life, choices in marriage and food appeared in the previous verses. This verse mentions some injunctions relating to 'Ibādāt, acts of worship like *Ṣalāh*, *Wuḍū*, *Mash*, *Tayammum*, *Ghusl* and *Tahārah*.

Verses 8 - 10

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوِّمِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ وَلَا
يَجْرِمَنَّكُمْ شَنَا نُ قَوْمٍ عَلَىٰ آلَا تَعْدِلُوا إِرْعِدُوا ۚ هُوَ أَقْرَبُ
لِلتَّقْوَىٰ ۚ وَاتَّقُوا اللَّهَ ۚ إِنَّ اللَّهَ خَبِيرٌۢ بِمَا تَعْمَلُونَ ﴿٨﴾ وَعَدَ اللَّهُ
الَّذِينَ آمَنُوا وَعَمِلُوا الصَّالِحَاتِ لَهُمْ مَغْفِرَةٌ وَأَجْرٌ عَظِيمٌ ﴿٩﴾
وَالَّذِينَ كَفَرُوا وَكَذَّبُوا بِآيَاتِنَا أُولَٰئِكَ أَصْحَابُ الْجَحِيمِ ﴿١٠﴾

O those who believe, be steadfast for Allah as witnesses for justice. And malice against a people should not bid you to not doing justice. Do justice. That is nearer to Taqwā. And fear Allah. Surely, Allah is all-aware of what you do. [8] Allah has promised those who believe and do good deeds: For them there is forgiveness and a great reward. [9] And those who disbelieve and deny Our signs - they are the people of the Fire. [10]

Commentary

The subject of the first of the three verses given above has appeared earlier in Sūrah al-Nisā' in almost the same words. The only difference is that the arrangement of words there (4:135) was: كُونُوا قَوِّمِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ while, here (5:8), it has been said: كُونُوا قَوِّمِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ (be steadfast for Allah as witnesses for justice). A delicate reason for the alternation in words appearing earlier and later in these two verses has been given by Abū Ḥayyān in his Tafsīr Al-Baḥr al-Muḥīṭ a gist of which is given below.

There are usually two causes which hold people back from doing justice and then make them do the unjust and the oppressive. The first one is taking the side of your own self, or that of your friends and relatives. Enmity with someone is the other cause. The verse in Sūrah al-Nisā' is addressing itself to the first subject while this verse of Sūrah al-Mā'idah is oriented to the other.

Therefore, the words which follow this sentence in Sūrah Al-Nisā' are: *وَلَوْ عَلَى أَنْفُسِكُمْ أَوِ الْوَالِدَيْنِ وَالْأَقْرَبِينَ* that is, 'even though against yourselves or the parents, and the kinsfolk ...' After the sentence of Sūrah al-Mā'idah cited above, the words which follow in this verse are: *وَلَا يَجْرِمَنَّكُمْ* *وَلَا يَجْرِمَنَّكُمْ شَنَاَنُ قَوْمٍ عَلَى أَلَّا تَعْدِلُوا* that is, 'And malice against a people should not bid you to not doing justice ...' So, the essential message of this verse of Sūrah al-Nisā' is: When it comes to doing justice, let nothing affect you, neither your own self, nor your parents, nor your relatives. If the demand of justice happens to be against them, stay with nothing but justice. The essence of this verse from Sūrah al-Mā'idah is that hostility against an enemy should not affect your sense of justice to the limit that you start working against the demands of justice to harm your enemy.

This is the reason why, by placing '*al-qist*' (justice) first in the verse of the Sūrah al-Nisā', it was said: *كُونُوا قَوَّامِينَ بِالْقِسْطِ شُهَدَاءَ لِلَّهِ* (... be upholders of justice, witnesses for Allah ...) and, by placing '*lillāh*' (for Allah) first in the verse of Sūrah al-Mā'idah, it was said: *كُونُوا قَوَّامِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ* (... be steadfast for Allah as witnesses for justice ...) - though, both these modes serve the same purpose end-wise. It is obvious that a person who stands for justice will stand for none but Allah, and one who stands for none but Allah will do nothing but justice. But, when it comes to protecting personal interest or favouring friends and relatives, one may be tempted to justify the thought that the act of caring for relationships here is also for Allah. Therefore, by bringing in the word, '*al-qist*' (justice) first at that point, the message given was that the concession which is contrary to justice cannot be for Allah. And in Sūrah al-Mā'idah, where the purpose was to enjoin justice with enemies, the word '*lillāh*' (for Allah) was brought in first, which took away the chances of sentimental attachments overpowering human nature. The point is, when you stand for Allah, the inevitable outcome should be an equal justice with enemies as well.

In short, both these verses of Sūrah Al-Nisā' and Sūrah al-Mā'idah carry two elements of guidance. The first commands full adherence to justice whether dealing with friends or foes. No weakness should be shown on account of any relationship, friendly or hostile. The second instruction given in these two verses is that no one should avoid recording true evidence and stating what is the truth in honesty with

Allah, so that the decision makers face no difficulty in arriving at the true, sound and just decision.

The Holy Qur'an has stressed upon this subject in several verses with various angles telling people not to drag their feet and be tardy in appearing as true witnesses. Verse 2:283 from Sūrah Al-Baqarah carries a very clear command: **وَلَا تَكْتُمُوا الشَّهَادَةَ وَمَنْ يَكْتُمْهَا فَإِنَّهُ أَمْسَ قَلْبُهُ** (And do not conceal the testimony. And whoever conceals it, his heart is, surely, a sinner) which proves that to give a true evidence is an obligation and its concealment, a grave sin.

But, the Holy Qur'an has also kept in sight the impediments to the fulfillment of such duty. The central obstacle is that a witness is made to appear in the courts repeatedly where he is subjected to absurd cross-examinations aimed at breaking the witness and invalidating his testimony. The result is that anyone marked to be a witness is actually marked out for trouble. Kept away from what he does for living, he becomes a target of all sorts of inconveniences just for nothing. Therefore, when the Holy Qur'an says that the giving of true evidence is necessary (*Wājib*), it also says: **وَلَا يَضَارَّ كَاتِبٌ وَلَا شَهِيدٌ** (And neither scribe nor witness should be made to suffer - 2:282).

A carefully investigated view of the courts and cases today will reveal that spot witnesses and true witnesses are almost extinct. Any sensible person who happens to see something unusual taking place somewhere would instinctively run away from there lest he gets grabbed as a witness. The police fills out its case report with made-up witnesses the result of which could hardly be any different than what is being observed day in and day out. Not even five, or ten per cent cases can be decided on the basis of truth and justice. Courts too cannot do anything about it. The kind of witnesses they receive are the only basis on which they have to arrive at their conclusions and decide cases.

But, no one seems to notice the initial error being made in this matter. If witnesses are treated nicely and they are not harrassed time and again, good people would not hesitate to come forward to register their testimony as required under the teachings of the Qur'an. But, what is happening here is that the first investigation of a case is handled by the police and it is, by itself, enough to drive a witness cra-

zy by his repeated appearances at the station. Once a witness, he would never be a witness again, not even on his dead body. Then the case goes to the court, if it does. And if it does, there comes the problem of dates, one after the other, they keep coming, next and next. But, the witness becomes the victim who has to undergo the punishment of a crime he never committed when he comes to record his presence on every such new date. This long-hauled rule of procedure, a sick vestige of the British colonist, has corrupted our courts and judicial departments. One naturally tends to compare it with the form of simple and speedy justice provided in modern-day *Hijāz* and elsewhere in which the number of pending cases cannot become so large, nor would they prolong so continuously, nor does it cause any harrassment to witnesses while fulfilling their religious duty.

To sum up, the blessings of an Islamic legal system can be seen even today by simply restructuring the law of evidence, and its attending rule of procedure, in accordance with the teachings of the Qur'ān which require the knowers of truth to testify and which also command that they should not be put to any inconvenience and that they should be free to go within the shortest possible time after recording their testimony.

Some forms of testimony

Finally, at this point, it is important to know that the sense of witness and testimony in current usage has become limited to testifying before a judge or Committee hearing suits and disputes. But, in the terminology of the Qur'ān and Sunnah, the word '*Shahādah*' (testimony) has a much broader sense. For instance, the medical certificate given to a sick person which states that he is unable to report on duty, or that he should be retired on medical grounds, is also a testimony. If the statement made in it was contrary to the actual condition of the sick person, it will turn into a false evidence and become a grave sin.

Similarly, checking student papers and marking them out during tests and examinations is also an act of testifying. If any increase or decrease in the marks allotted in them was done knowingly or carelessly, that too shall be a false evidence, which is unlawful, and a grave sin.

Certificates and testimonials awarded to successfully graduating students bear a witness that the awardee has the capability of doing what his or her documents say. But, should it be that the person concerned is, in fact, not so capable, then, everyone who has signed on that certificate or testimonial stands charged with the crime of false attestation.

Correspondingly, casting a vote in favour of a candidate seeking election to assemblies, councils and public bodies is also a testimony in which the voter bears witness that, in his or her knowledge and estimation, the particular candidate is worthy of becoming a representative or spokesperson of the country and its people, both in terms of his ability and merits and in terms of his honesty and trustworthiness as well.

Now, figure out how many of our representatives are there about whom this 'evidence' would prove to be true and correct? But, there is little that can be said about our electorate which seems to take this exercise of voting as some game where one either wins or loses. That, to them, is all there is to it. Yet, the right of vote is sold for money, or cast under pressure, or thrown away for fickle friends and shady promises. Leave others alone, even educated and observing Muslims fail to realize while voting for undeserving people that they were inviting the curse and punishment of Allah by putting their false evidence on record.

There is yet another way of looking at the casting of votes to elect representatives in accordance with the Holy Qur'ān. This is called '*Shafā'ah*' (recommendation or *Sifarish*). It means that the voter approves of the candidate of his choice and recommends that he should be elected as a representative. The injunction of the Holy Qur'ān relevant to this situation has appeared earlier in the words given below:

وَمَنْ يَشْفَعْ شَفَاعَةً حَسَنَةً يَكُنْ لَهُ نَصِيبٌ مِنْهَا وَمَنْ يَشْفَعْ شَفَاعَةً سَيِّئَةً يَكُنْ لَهُ كِفْلٌ مِنْهَا

Whoever makes a good recommendation, there shall be for him a share from it (in the Hereafter). And whoever makes a bad recommendation, there shall be for him a share from it -

It means that anyone who makes a good, true and justified recommendation, then, he too will get a share from the good deed of the person he has recommended. And a person who makes a bad recommendation, that is, favours someone undeserving and bad to succeed through his recommendation, then, he too shall get a share from the bad deeds of the person he has recommended. Thus, when a candidate like this will, during his tenure of office, go on doing what is wrong and impermissible, it is obvious that the curse of his evil doings will fall on the voter as well.

The vote has a third status in the sight of the Shari'ah of Islam - that of advocacy (*Wakālah*). This is, as if, the voter makes the candidate his representative and agent on his or her behalf. But, had this agency been connected with one of his personal rights and the gain or loss from it would have affected his person alone, then, he would have been responsible for it personally. However, that situation does not prevail here, because this agency concerns rights which the entire nation shares with him. Therefore, should a person contribute to the success of an undeserving candidate by voting for him as his representative, then, the sin of bulldozing the rights of the entire nation rests on his shoulders.

To recapitulate, our vote has a three-pronged status: *Shahādah* (evidence), *Shafā'ah* (Recommendation) and *Wakālah* (Advocacy or representation in common rights). Under all three conditions, voting for a good and deserving person brings great reward the fruits of which are bound to reach the voter. Similarly, voting for someone undeserving and uncouth is false evidence, unjustified recommendation and impermissible advocacy all in one, so, the evil fruits of his thoughtless voting shall stand recorded in the voter's log of deeds.

Therefore, it is the duty of every Muslim, man and woman, that he or she must fully investigate into the background of the candidate being voted for well before the vote is cast. Let them make sure that the candidate is deserving, capable and honest - and not otherwise. Negligence, apathy and heedlessness are poor reasons to go about committing such grave crimes. If done for no reason, it is absurdity at its worst.

Verses 11 - 12

يَا أَيُّهَا الَّذِينَ آمَنُوا اذْكُرُوا اللَّهَ عَلَيْهِمْ إِذْ هُمْ قَوْمٌ أَنْ
يَبْسُطُوا إِلَيْكُمْ أَيْدِيَهُمْ فَكَفَّ أَيْدِيَهُمْ عَنْكُمْ ؕ وَاتَّقُوا اللَّهَ
وَعَلَى اللَّهِ فَلْيَتَوَكَّلِ الْمُؤْمِنُونَ ﴿١١﴾ وَلَقَدْ أَخَذَ اللَّهُ مِيثَاقَ
بَنِي إِسْرَءِيلَ وَبَعَثْنَا مِنْهُمُ اثْنَيْ عَشَرَ نَقِيبًا وَقَالَ اللَّهُ إِنِّي
مَعَكُمْ لَئِنْ أَقَمْتُمُ الصَّلَاةَ وَآتَيْتُمُ الزَّكَاةَ وَآمَنْتُمْ بِرُسُلِي
وَعَزَّزْتُمُوهُمُ وَأَقْرَضْتُمُ اللَّهَ قَرْضًا حَسَنًا لَأُكَفِّرَنَّ عَنْكُمْ
سَيِّئَاتِكُمْ وَلَأُدْخِلَنَّكُمْ جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ فَمَنْ كَفَرَ
بَعْدَ ذَلِكَ مِنْكُمْ فَقَدْ ضَلَّ سَوَاءَ السَّبِيلِ ﴿١٢﴾

O those who believe, remember Allah's favour upon you, when some people planned to lay their hands on you, and he kept their hands away from you. And fear Allah. And in Allah the believers should place their trust. [11] And Allah has made the Children of Israel take a pledge. And We appointed twelve chiefs from among them. And Allah said, "I am surely with you. If you establish Ṣalāh, and pay Zakāh, and believe in My Messengers, and hold them in reverence, and advance to Allah a goodly loan, I shall certainly write off your evil deeds and I shall certainly admit you into Gardens beneath which rivers flow. So, whoever from you disbelieves after that has lost the straight path." [12]

Commentary

In the seventh verse of Sūrah al-Mā'idah which appeared earlier Allah Almighty has asked Muslims to remember the pledge taken from them to which they professed belief and obedience:

وَاذْكُرُوا اللَّهَ عَلَيْهِمْ وَمِيثَاقَهُ الَّذِي وَاثَقَكُمْ بِهِ إِذْ قُلْتُمْ سَمِعْنَا وَأَطَعْنَا
وَاتَّقُوا اللَّهَ

And remember Allah's favour upon you and His Covenant that He has taken from you when you said, "We have listened and obeyed." And fear Allah ... (5:7)

This pledge is the pledge of obedience to Allah and His Messenger and the pledge of practical adherence to the Shari'ah of Islām. This is technically known as the *Kalimah* or the statement of creed and which is:

لا اله الا الله محمد رسول الله

(*Lā ilāhā il-lal-lāhū Muḥammadur-Rasū-lul-lāh*):

"There is no god worthy of worship but Allah Muhammad is the Messenger of Allah."

Every Muslim who says this *Kalimah* is bound by this pledge. In the verse which follows (5:8), some important articles of the pledge, that is, particular religious injunctions have been described. These enjoin equity and justice for friend and foe alike and teach justice and tolerance - not revenge - for enemies once overpowered. This pledge is, in itself, a great blessing of Allah, therefore, it has been made to begin with: اذكروا نعمت الله عليكم (And remember Allah's favour upon you ...).

By beginning the present verse (5:11) with the same sentence : اذكروا (And remember Allah's favour upon you), the objective is to tell Muslims that as long as they remained faithful to their pledge, Almighty Allah blessed them with power and excellence in the present world and with high ranks for the Hereafter, shielding them all along against their enemies, in war and in peace.

This verse particularly mentions how enemies conspired to destroy Muslims and kill their Prophet on so many occasions, but Almighty Allah foiled all their plans and put them to disgrace - 'some people planned to lay their hands on you, and He kept their hands away from you.'

Speaking generally, there are innumerable events on the annals of the history of Islam when the plans made by disbelievers were seen rolling in dust by Divine grace. But, there are some special events as well which our learned commentators have pinpointed as the substantiation of this verse - for example, in the Musnad of 'Abd al-Razzaq, a report from Sayyidnā Jābir رضى الله عنه says:

In a *Jihād*, the Holy Prophet ﷺ and his Companions رضى الله عنهم اجمعين stopped to rest at one stage. The noble Companions scattered out to rest at various spots. The Holy Prophet ﷺ stopped by a tree, all by

himself. He hung his weapons on a branch of the tree. A villager from among the enemies pounced on this occasion, dashed in and took possession of the sword of the Holy Prophet ﷺ. Then, taking it out from the sheath, he threatened him by saying: مَنْ يَنْتَعِظُ مِنِّي (That is, 'now tell me who can save you from my hand?').

Undaunted, the Holy Prophet صلى الله عليه وسلم said: 'Allah عزوجل (the Mighty, the Exalted)'. The villager repeated what he had said earlier, that is, 'now tell me who can save you from my hand?' Once again, the Holy Prophet صلى الله عليه وسلم said with the same composure: 'Allah عزوجل'. After two or three exchanges in this manner, it was the awe of some unseen power which forced the challenger to put the sword back in its sheath. At that point, the Holy Prophet ﷺ called the Companions in and narrated what had transpired. The villager was still sitting by his side. He said nothing to him. (Ibn Kathīr).

As part of an explanation of this verse, reports from some Companions say that there was an occasion when Ka'b ibn Ashraf, a Jew, had invited the Holy Prophet صلى الله عليه وسلم to his house with the intention of killing him. Allah Almighty told him about this evil intention which foiled his conspiracy (Ibn Kathīr). Also reported from Mujāhid, 'Ikrimah and others is that the Holy Prophet صلى الله عليه وسلم once went to Yahūd ibn Nuḍayr to talk about a matter of concern. He asked him to sit under a wall, engaged him in a conversation while secretly he appointed 'Amr ibn Jahsh to scale the wall from behind and throw down a rock from the top of the wall over him. Allah Almighty let His Messenger, may he remain blessed and protected for ever, know about their hostile intention and he immediately rose and moved away from there (Ibn Kathīr).

There is no contradiction about these events. All of them can be taken to be substantiating the present verse where, after mentioning the unseen protection provided to the Holy Prophet صلى الله عليه وسلم and to Muslims in general, it was said: وَاتَّقُوا اللَّهَ وَعَلَى اللَّهِ فَلْيَتَوَكَّلِ الْمُؤْمِنُونَ (And fear Allah. And in Allah the believers should place their trust).

First of all, what is being said here is that this blessing from Allah is not restricted to the Holy Prophet صلى الله عليه وسلم, rather, the real cause of this Divine support and protection is the quality of *Taqwā* (the fear of Allah) and *Tawakkul* (Trust in Him). Any nation, or indi-

vidual who lives by these two virtues, in any time and in any place, will have the support and protection from Almighty Allah in the same manner. How well this was put in two lines by poet Iqbal:

فضائے بدر پیدا کر فرشتے تیری نصرت کو

اُتر سکتے ہیں گردوں سے قطار اندر قطار اب بھی

Create the atmosphere of Badr, for your help the angels could
Descend from the heavens, file after file, even now!

It is also possible to refer this sentence back to the set of previous verses where Muslims have been commanded to treat their worst enemies with courtesy and justice. If so, the sentence would indicate that the teaching of courtesy and tolerance in the case of such avowed enemies may amount to making a political error which may put them back on their feet. Therefore, in this sentence, Muslims were warned that this tolerance and courtesy will bring absolutely no harm to them only if they continue being the kind of people who fear Allah and trust in Him. In fact, instead of giving the enemies the courage and opportunity to renew their hostility against them, this behaviour of theirs will become the cause of bringing them closer to Islam into the Muslim area of influence. Besides, *Taqwā* or the fear of Allah is the only factor which can compel a person to abide by a pledge both physically and spiritually. Wherever this quality of *Taqwā* remains missing, pledges get readily broken as commonly witnessed these days. So, the earlier verse (5:8) which mentions a pledge, also directed to **واتقوا الله** (Fear Allah) towards the end. The same assertion was repeated here. Finally, this whole verse gives a clear hint that a Muslim victory with Divine support does not simply depend upon outward logistics and hardware, instead of that, the secret of their real power lies in *Taqwā* (the fear of Allah) and *Tawakkul* (trust in Him).

After the present verse has mentioned the pledge taken from Muslims and rewards it would bring when fulfilled, the second verse brings into focus another side of the issue. It clarifies that this taking of pledges is not something special to Muslims. Similar pledges were also taken earlier, from other communities as well. But, they failed to fulfill them. Therefore, various punishments were sent upon them. It is said in the verse that Almighty Allah had taken a pledge from the

Banī Isra'īl (The Children of Israel). The pledge was taken in a particular form. The people from Banī Isra'īl were divided over twelve tribes. One chief from each such tribe was chosen to represent them. Every chief from each of the twelve tribes declared on his behalf and on behalf of his whole tribe that they would adhere to this Divine Covenant. Thus, these twelve chiefs took that responsibility on behalf of the entire people of Banī Isra'īl which entailed that they would themselves adhere to this pledge as well as make their tribe do so.

Worth noting at this point is the cardinal principle of Islam in matters of honour, merit, office and recognition which, in the words of the Persian poet, Jāmī, is:

بنده عشق شدی ترک نسب کن جامی

که دریں راه فلاں بن فلاں چیزے نیست

You have become a servant in love, forget about your lineage, O Jāmī!

For, on this highway, so and so the son of so and so means nothing.

The Holy Prophet صلى الله عليه وسلم had declared this in full clarity when delivering his historic Address on the occasion of his Last Hajj by saying that Islam does not recognize any dividing line between Arabs and non-Arabs, black or white, high caste or low caste. Whoever enters Islam becomes a brother to all Muslims. The distinctions of status, lineage, colour, country and language were the idols and icons of the Days of Ignorance - Islam has broken them all. But, it does not mean that one should not consider family background when harnessed to establish order and efficiency in administrative matters.

It is but natural that people of a tribe or family are more likely to trust a known member of their group as compared to others. Such a person is expected to understand and accommodate the feelings of his group much better because he knows their psychological reflexes in detail. When a pledge was taken from the twelve tribes of Banī Isra'īl, it was based on this very strategy whereby one chief from each of the tribes was made responsible for its compliance.

The same consideration of administrative expediency and a peaceful resolution of possible conflict was made when the Banī Isra'īl were highly agitated about a shortage of water. Sayyidnā Mūsā عليه السلام

prayed to Allah and as commanded by Him he struck his staff against a rock. Then, Almighty Allah made twelve streams flow from this rock for each of the twelve tribes. Allah Almighty has mentioned this great favour in the Holy Qur'an (Sūrah al-A'raf, 7:160) in the following words: **وَقَطَعْنَاهُمْ اثْنَتَى عَشْرَةَ أَسْبَاطًا أُمَمًا** (And We divided them into twelve tribes, as separate communities) and: **فَانْبَجَسَتْ مِنْهُ اثْنَتَا عَشْرَةَ عَيْنًا** (So, twelve springs gushed forth from it [one for each tribe]). As for this figure of twelve, it is rather unusual and lends to popular interpretations.

When the Ansār of Madīnah came to invite the Holy Prophet ﷺ to their city, he took a pledge from them in the form of *Bay'at*. In this pledge also, the twelve chiefs of the tribes of Anṣār, acting on behalf of their tribes, gave their hands in the blessed hands of the Holy Prophet ﷺ giving a solemn pledge of adherence popularly known as *Bay'at* (or *Bay'ah* in its pausal form).

Three of these chiefs were from the tribe of 'Aws and nine from the tribe of Khazraj (Ibn Kathīr).

According to another narration from Sayyidnā Jābir ibn Samurah appearing in al-Bukhārī and Muslim, the Holy Prophet صلى الله عليه وسلم is reported to have said that people and their needs shall stay covered until such time that twelve *Khulafā'* (ruling authorities) will be leading them. After having reported this narration, Ibn Kathīr has commented that no word from this ḥadīth proves that these twelve Imāms or *Khulafā'* would rule one after the other, continuously. On the contrary, they could also appear spaced out from each other with breaks in between. Thus, there were four *Khulafā'* - Sayyidnā Abū Bakr, Sayyidnā 'Umar al-Fārūq, Sayyidnā 'Uthmān al-Ghanī and Sayyidnā 'Alī al-Murtaḍā رضى الله عنهم - succeeding in that order. After the passage of some time in between, Sayyidnā 'Umar ibn 'Abdul-'Azīz was accepted by the consensus of the *Ummah* as the fifth righteous *Khalīfah* of Islam.

Now, returning back to the pledge taken from the Banī Isrā'īl, it will be recalled that Allah had made the twelve chiefs from their twelve tribes responsible for them and to them He said: **إِنِّى مَعَكُمْ** (I am with you). It means if they fulfilled the pledge themselves and resolved to make others do the same, Divine support shall be with them. After that, the verse enumerates some articles of this pledge, then re-

fers to the breach of trust committed by the Banī Isra'īl and the subsequent punishment that descended upon them.

Thus, the sentence: **إِنِّي مَعَكُمْ** (I am with you) which appears before mentioning the articles of the pledge is there to tell two things. Firstly, if they stood by the pledge, Divine support will be with them which they would witness on every step they take. Secondly, they must realize that Allah is with them everywhere, all the time. He is watching over this pledge. Nothing that they intend, think, plan and do will remain outside the reach of His knowledge. He sees and hears what they conceal and He is also aware of their intentions and plans. They cannot escape His grip by breaking the pledge. Then come the articles of the pledge, the first being 'the establishment of *Ṣalāh*' followed by 'the paying of *Zakāh* properly.' This tells us that the people of Sayyid-nā Mūsā عليه السلام were also obligated with the duties of *Ṣalāh* and *Zakāh* much before Islam. Other Qur'ānic hints and authentic reports prove that these duties were not peculiar to Banī Isra'īl alone. In fact, they have been enjoined by every prophet and every Sharī'ah.

The third article of the pledge is that they should believe in all prophets and messengers sent by Allah and help them achieve their objective of spreading true guidance. Since many messengers were to come to the Banī Isra'īl, they were the ones particularly charged to do this. Though, the status of basic '*Īmān*' or faith comes ahead of actual acts such as *Ṣalāh* and *Zakāh*, yet, in this pledge, what was to be actually done was what was placed first. Prophets and messengers who were to come, would be coming later. Since the matter of believing in them and helping them in their mission was to happen later, that part was placed later in the text.

The fourth article of the pledge is: **أَقْرَضْتُمُ اللَّهَ قَرْضًا حَسَنًا** (... and advance to Allah a goodly loan ...). "*Qardān Hasana*" (a goodly loan) means that it should be with absolute sincerity without any worldly expediency behind it. When spending in the way of Allah, one should spend what one holds dear - never trying to get away by giving out of the spare, the extra and the worthless. Spending in the way of Allah has been expressed as 'the giving of loan' because the return of a loan is taken as due legally, customarily and morally. So, one should spend in the way of Allah believing that it will be returned definitely.

Since the obligatory *Zakāh* has already been mentioned at its place, the introduction of *Qarḍ Ḥasan* here indicates that it is referring to *Ṣadaqāt* and *Khayrāt* (charities) other than *Zakāh*. It also tells us that Muslims are not done with all financial responsibilities by simply paying off the *Zakāh* due on them. There are other financial rights to be fulfilled, such as, making a *Masjid* where needed. When governments do not initiate or support religious education for children and adults, the responsibility of establishing and running institutions devoted to imparting religious education rests on none but Muslims themselves. The difference between the two is that *Zakāh* is *Farḍ 'Ayn* (absolute obligation on every individual) while the kind of charities mentioned above are *Farḍ Kifāyah* (an obligation of sufficiency as explained below).

Farḍ Kifāyah means: should some individuals or a group from the Muslim community take care of such needs, other Muslims are released from the burden of responsibility; and, should no one come forward to do so, everyone becomes a sinner. How terrible are the circumstances in which schools for religious education are operating in our time is known and braved by only those who have made it a mission of their lives to keep serving their Faith through these institutions of religious learning. As for paying *Zakāh*, Muslims know that it is an obligation on them. It is strange that, despite this knowledge, there are very few who pay their *Zakāh* - and there are still fewer who take the trouble of paying the full *Zakāh* due on them after a full accounting. And even those who rarely pay out the full amount of *Zakāh* due on them, think that they have done all they were supposed to do and that there is nothing more due on them. Go to them about some urgent need of a *Masjid* and they will come up with *Zakāh* money. The same thing happens with religious institutions - they too hardly get any financial support other than *Zakāh*. Although, these are duties, other than *Zakāh*, which Muslims have to fulfill - this has been made clear in this verse of the Qur'an and in many other verses similar to it.

Towards the end of the verse, after enumerating the articles of the pledge, it was also clarified that the fulfillment of the pledge on their part will be amply rewarded, even their past sins will be forgiven and they will have the eternal comfort and security of Paradise. But, final-

ly they were given to understand that should any of them elect to ignore such clear statements and go on to the limits of rejection and rebellion, they should know that they have left the straight path only to their self-appointed ruin.

Verses 13 - 14

فِيمَا نَقَضَهُمْ مِيثَاقَهُمْ لَعْنُهُمْ وَجَعَلْنَا قُلُوبَهُمْ قَاسِيَةً
يُحَرِّفُونَ الْكَلِمَ عَنْ مَوَاضِعِهِ ۖ وَنَسُوا حَظًّا مِمَّا دُكِّرُوا بِهِ ۖ
وَلَا تَزَالُ تَطَّلِعُ عَلَى خَائِنَةٍ مِنْهُمْ إِلَّا قَلِيلًا ۖ مِنْهُمْ فَاعْفُ عَنْهُمْ
وَاصْفَحْ ۚ إِنَّ اللَّهَ يُحِبُّ الْمُحْسِنِينَ ﴿١٣﴾ وَمِنَ الَّذِينَ قَالُوا إِنَّا
نُصْرَىٰ أَخَذْنَا مِيثَاقَهُمْ فَنَسُوا حَظًّا مِمَّا دُكِّرُوا بِهِ ۖ فَاعْرِضْنَا
بَيْنَهُمُ الْعَدَاوَةَ وَالْبَغْضَاءَ إِلَى يَوْمِ الْقِيَمَةِ ۚ وَسَوْفَ يُنَبِّئُهُمُ
اللَّهُ بِمَا كَانُوا يَصْنَعُونَ ﴿١٤﴾

So, because they broke their pledge, We cursed them and made their hearts hardened. They move words away from their places, and they have overlooked a good deal of the Advice they were given. And every now and then you come accross a certain treachery from them all but a few. So, forgive them and forego. Indeed, Allah loves the good-in-deed. [13] And from those who say, "We are Christians," We took a pledge. So, they have overlooked a good deal of the Advice they were given. So, We had them stuck with enmity and malice among them right through the Day of Doom. And Allah shall tell them what they were doing. [14]

Commentary

The first verse is telling us that Banī Isra'īl were heedless to clear instructions given to them. Then, they broke the pledge for which they were punished. There were two kinds of punishment which visited Banī Isra'īl because of their misdeeds and contumacy:

1. Manifest and perceptible, like the hail of stones and rocks or the overturning of land mass, which find mention in several verses of the Qur'an.

2. Intellectual and spiritual, as if their very minds and hearts were transformed in punishment for their contumacy which made them incapable of thinking and feeling and they went on sinking deeper in the curse of their sins.

The verse opens with the words: *فِيمَا نَقُضُهُمْ بِمِيثَاقِهِمْ لَعْنَتُهُمْ وَجَعَلْنَا قُلُوبَهُمْ قَاسِيَةً*. It means that it was because of their contravention of the solemn pledge that Allah made them far-removed from His mercy (that is, from its effects, which is the reality of 'La'nah' or curse - Ḥadrat Thānavī) and made their hearts hardened against any penetration of truth. This removal from mercy and the hardening of hearts has been likened to "Rān" (stain or rust) by the Holy Qur'an in Sūrah al-Muṭaffifin: *كَلَّا بَلْ رَانَ عَلَى قُلُوبِهِمْ مَا كَانُوا يَكْسِبُونَ*. It means that the reason why they reject open verses of the Qur'an and all too manifest signs is that the stain of sins has settled down on their hearts. In a ḥadīth, the Holy Prophet ﷺ said: When someone commits a sin for the first time, a black dot gets stamped on the heart. He feels the pinch of this evil presence all the time. It is like a black stain on a white cloth which is a constant sore of the eye. Now, if he gets chastened, repents and resolves not to do it again, that dot is erased; and should he become care-free and start a spree of other sins, a black dot for each subsequent sin will keep adding up, so much so, that the clean slate of his heart will turn jet black with these dots of stain. At that stage, the state of his heart will become very much like a pot placed upside down in which nothing goes in but to come out instantly. Therefore, nothing good settles down in his heart for he has fallen into a state of moral inertia - to him nothing good is good and no evil is evil. Rather, the opposite becomes his more likely approach - he starts taking defect as merit, vice as virtue and sin as reward. Thus armed with his crooked thinking, he goes on riding high in his rebellion and contumacy. This is a cash and spot punishment of his sin which he gets right here in this mortal world.

Some respected elders have said: *ان من جزاء الحسنة الحسنه بعدها وان من جزاء السيئه السيئه بعدها*, that is, the cash reward of a good deed is that one gets the Taufiq (the ability given by Allah) of doing another good deed. Similarly, the cash reward of a sin is that one's heart starts being attracted by other sins soon after the first. Thus, obedience and disobedience both have a pull of their own - one good invites another good and one evil attracts other evils and sins.

Referring back to the breach of trust committed by the Banī Isra'īl, it can be said that the cash punishment due against it was that they were removed from Divine mercy - which is the greatest medium of salvation. And their hearts became so hardened that they stooped to the level of 'moving words away from their places' which means that they alter the Word of God - in words or meanings or recitation - all of which have been described in the Holy Qur'ān and the books of *Aḥādīth*, some of which have been acknowledged by European Christians as well (Tafsīr Usmānī).

The result of the intellectual and spiritual punishment mentioned above was that they forgot to take advantage of the good counsel given to them: *فَنَسُوا حَظًّا مِمَّا ذُكِّرُوا بِهِ*. Then, this punishment stuck glued to them: *وَلَا تَزَالُ تَطَّلِعُ عَلَى خَائِنَةٍ مِنْهُمْ* that is, the Prophet of Islam would keep knowing about one or the other breaches, deceptions and treacheries committed by them. The exception is indicated in: *إِلَّا قَلِيلًا مِنْهُمْ* (but a few) which refers to people like Sayyidnā 'Abdullāh ibn Salām and others who were followers of the faith of the People of the Book before they became true Muslims.

Upto this point, the description of the misconduct of the Banī Isra'īl was obviously demanding enough that the Holy Prophet صلى الله عليه وسلم should hold them in contempt and never allow them to come to him. Therefore, in the last sentence of this verse, the instruction given to the Holy Prophet صلى الله عليه وسلم was: *فَاعْفُ عَنْهُمْ وَاصْفَحْ إِنَّ اللَّهَ يُحِبُّ الْمُحْسِنِينَ* (So forgive them and forego. Indeed, Allah loves the good-in-deed). It means that, despite their peculiar condition being what it is, it is better that the Prophet of Islam abstains from doing what is otherwise quite natural. In other words, he should not treat them with contempt or hatred because after knowing what they are - hardhearted and cold - the chances that any good counsel would affect them are very remote. Granted. But, toleration and civility of morals are wonder virtues which could probe out some sense and sensibility from out of such insensate people. Even if this effort to drive some sense into them fails, something worth doing still remains - keeping one's own matters and morals correct is, after all, quite necessary. Allah Almighty likes what is done with good grace - and it will definitely bring Muslims closer to Him.

From the first verse, 5:13, which dealt with the breach of trust by Jews and their punishment for it, we now move to the next verse, 5:14, which refers to Christians: وَمِنَ الَّذِينَ قَالُوا إِنَّا نَصْرِي. In this verse, the punishment described for Christians is mutual dissension. Being for their breach of trust, this will continue right upto the Last Day.

Looking at the contemporary scene, one may have doubts about Christians who seem to be united. The answer is that the present statement covers genuine Christians, observing and abiding. As for those who have moved away from their own religion turning into non-conformist, secular or atheistic individuals or groups, they are, for all practical purposes, out of the list of Christians - even though, they may count them as Christians among the nationalities of a country. If, among such people, that religious dissension and mutual hostility does not exist, it would not be contrary to this verse - because the conflict was based on religion, once the religion is not there, conflict too would not be there. As said earlier, this verse describes people who profess and practice the religion of Christianity - and their division is well-known.

Given below is a brief reference from *Taysir* in the marginal notes of commentator, al-Bayḍāwī which reports that there were three sects among Christians originally:

1. *Fisturyah* (Nestorians) who took Sayyidnā 'Īsā (Jesus) as the son of God.
2. *Ya'qubiyah* (Jacobites) who believed in Sayyidnā 'Īsā (Jesus) himself as one with God.
3. *Malka'iyah* (Malkites) who believed in Sayyidnā 'Īsā (Jesus) as one of the Trinity.

And it goes without saying that in the presence of such major divisions in matters of belief, mutual malice is inevitable.

Verses 15 - 18

يَا أَهْلَ الْكِتَابِ قَدْ جَاءَكُمْ رَسُولُنَا يُبَيِّنُ لَكُمْ كَثِيرًا مِّمَّا كُنْتُمْ تُخْفُونَ مِنَ الْكِتَابِ وَيَعْفُو عَنْ كَثِيرٍ ۖ قَدْ جَاءَكُمْ مِنَ اللَّهِ

نُورٌ وَكِتَابٌ مُبِينٌ ﴿١٥﴾ يَهْدِي بِهِ اللَّهُ مَنِ اتَّبَعَ رِضْوَانَهُ مَجْزِلَ
 السَّلَامِ وَيُخْرِجُهُم مِّنَ الظُّلُمَاتِ إِلَى النُّورِ بِإِذْنِهِ وَيَهْدِيهِمْ إِلَى
 صِرَاطٍ مُسْتَقِيمٍ ﴿١٦﴾ لَقَدْ كَفَرَ الَّذِينَ قَالُوا إِنَّ اللَّهَ هُوَ
 الْمَسِيحُ ابْنُ مَرْيَمَ قُلْ فَمَنْ يَمْلِكُ مِنَ اللَّهِ شَيْئًا إِنْ أَرَادَ أَنْ
 يُهْلِكَ الْمَسِيحَ ابْنَ مَرْيَمَ وَأُمَّهُ وَفِي الْأَرْضِ جَمِيعًا وَلِلَّهِ
 مُلْكُ السَّمُوتِ وَالْأَرْضِ وَمَا بَيْنَهُمَا يَخْلُقُ مَا يَشَاءُ وَاللَّهُ
 عَلَى كُلِّ شَيْءٍ قَدِيرٌ ﴿١٧﴾ وَقَالَتِ الْيَهُودُ وَالنَّصَارَى نَحْنُ
 أَبْنَاءُ اللَّهِ وَأَحِبَّاؤُهُ قُلْ فَلِمَ يُعَذِّبُكُم بِذُنُوبِكُمْ بَلْ أَنْتُمْ
 بَشَرٌ مِّمَّنْ خَلَقَ يَغْفِرُ لِمَن يَشَاءُ وَيُعَذِّبُ مَن يَشَاءُ وَلِلَّهِ مُلْكُ
 السَّمُوتِ وَالْأَرْضِ وَمَا بَيْنَهُمَا وَإِلَيْهِ الْمَصِيرُ ﴿١٨﴾

O people of the Book, there has come to you Our Messenger disclosing to you much of what you have been concealing of the Book, while he passes over much. [15]

There has come to you from Allah a Light and clear Book; with it Allah guides those who follow His pleasure in the pathways of peace, and brings them out, by His will, from the depths of darkness into the light, and guides them to a straight path. [16]

Certainly, gone infidel are those who say, "God is the Masīḥ son of Maryam (Jesus son of Mary)." Say, "Who then has the power to do anything against Allah if He wills to eliminate the Masīḥ son of Maryam and his mother and all those on earth?" And to Allah belongs the kingdom of the heavens and the earth and what lies between them. He creates what He wills. And Allah is powerful over everything. [17]

And the Jews and the Christians say, "We are the sons of Allah and His favourites." Say, "Why then would He punish you for your sins? In fact, you are just human, among those He created. He forgives whom He wills and punishes whom He wills." And to Allah belongs the

kingdom of the heavens and the earth and what lies between them, and to Him is the return. [18]

Commentary

Refuted here in this verse is only one saying of the Christians - which is the belief of a sect among them - that Sayyidnā Masīḥ عليه السلام is God. But, the argument employed in the refutation virtually covers the false beliefs of all sects against the inalienable principle of *Tauḥīd*, that is the Oneness of Allah. This may be a belief in a son of God or a belief in one of the three Gods - the argument refutes all of them.

That Sayyidnā Masīḥ and his blessed mother have been mentioned here jointly could be because of two wise considerations. Firstly, it is the humility of Sayyidnā Masīḥ before Allah *Ta'ālā* that he could never think of saving himself against the will of Allah, or his mother whose care and service a good son considers dearer than his own life. Secondly, by doing so, the view of the sect which takes Sayyidah Maryam as one of the three Gods also stands refuted.

Also noteworthy at this point is the mention of the death of Sayyidnā 'Īsā and Sayyidah Maryam, peace be upon both of them, as a supposition - although, the death of Sayyidah Maryam was no supposition at the time of the revelation of the Qur'ān; it had already occurred, in fact. The reason for this may either be the superimposition (*Taghlīb*) of the desired subject, that is, since the real intent here was to describe the death of Sayyidnā 'Īsā as a supposition, the mention of his blessed mother was also made as a corollary of the same subject, even though, her death had already occurred - or, it can also be said that the expression means: The way We have made death take away Sayyidah Maryam, it lies within Our power to make it overtake Sayyidnā Masīḥ and the rest of the creation as well. And the statement: *يَخْلُقُ مَا يَشَاءُ* (He creates what He wills - 5:17), is there to refute this particular base which Christians use to deify Sayyidnā Masīḥ because they reason out that his birth came to pass, against all rules of nature operative in this world, without a father and from the mother alone - had he too been a human being, he would have been born through a mother and father both, very much in accordance with the natural law.

This one sentence answers the reasoning by saying that Allah has the most perfect and the most comprehensive power to create what He

wills and how He wills. The same doubt has been removed in the verse: **إِنَّ مَثَلَ عِيسَىٰ عِنْدَ اللَّهِ كَمَثَلِ آدَمَ** (Surely, the case of 'Īsā, in the sight of Allah, is like the case of Ādam - 3:59) where it has been established that the creation of Sayyidnā Masīḥ عليه السلام as separate from the habitual law of nature cannot become an argument in favour of his being taken as God.

The reason lies in pondering that Allah *Ta'ālā* did create Sayyidnā Ādam عليه السلام without a father and mother both. He has the power, all power, over everything. He is the Creator and the Master and the most worthy of worship. No one else can be associated with His Divinity as a partner or sharer.

Verse 19

يَا أَهْلَ الْكِتَابِ قَدْ جَاءَكُمْ رَسُولُنَا يُبَيِّنُ لَكُمْ عَلَىٰ فَتْرَةٍ مِّنَ الرُّسُلِ أَنْ تَقُولُوا مَا جَاءَنَا مِن بَشِيرٍ وَلَا نَذِيرٍ فَقَدْ جَاءَكُمْ بَشِيرٌ وَنَذِيرٌ وَاللَّهُ عَلَىٰ كُلِّ شَيْءٍ قَدِيرٌ ﴿١٩﴾

O people of the Book, Our Messenger has come to you making things clear to you after a gap between Messengers, lest you were to say, "There has not come to us a bearer of good news, and a warner." So, now there has come to you a bearer of good news, and a warner. And Allah is powerful over everything. [19]

Commentary

The word, "*fatrah*" in: **عَلَىٰ فَتْرَةٍ مِّنَ الرُّسُلِ** (after a gap between Messengers) literally means to slacken, to become dormant or to suspend or to terminate an activity. Leading authorities in *Tafsīr* have given this very meaning of *fatrah* in this verse. It signifies the suspension of the coming of prophets for a certain interval of time which is the period of time in between Sayyidnā 'Īsā عليه السلام and the Last of the Prophets, Sayyidnā Muḥammad al-Muṣṭafā صلى الله عليه وسلم .

Verification of the Gap

According to Sayyidnā 'Abdullāh ibn 'Abbās رضى الله عنه, there is a period of one thousand and seven hundred years between Sayyidnā Mūsā and Sayyidnā 'Īsā عليهما السلام . During this whole period, prophets kept

coming with their missions without any gap. To Banī Isrā'īl alone, one thousand prophets were sent during this period - not included in which are prophets who appeared among peoples other than Banī Isrā'īl. Then comes the period of only five hundred years between the birth of Sayyidnā 'Īsā عليه السلام and the appearance of the Holy Prophet صلى الله عليه وسلم as the Last Prophet. During this period, the usual chain of prophets remained discontinued. Therefore, this period is known as *Fatrah* or Gap. Before this, a longer period has never remained unvisited by prophets. (Qurtubī, with some explanation from the author)

There are other reports regarding the period of time between Sayyidnā Mūsā and Sayyidnā 'Īsā عليهما السلام, and that which is between Sayyidnā 'Īsā عليه السلام and the Last Prophet, Sayyidnā Muḥammad al-Muṣṭafā صلى الله عليه وسلم. The period of time indicated in these reports is either more, or less, but that does not affect the real purpose.

Imām al-Bukhārī reports on the authority of Sayyidnā Salmān al-Fārisī رضي الله عنه that there was a period of six hundred years between the time of Sayyidnā 'Īsā عليه السلام and the Last among Prophets صلى الله عليه وسلم. During this entire period, no prophet was sent as confirmed by a *Ḥadīth* in Mishkāṭ, appearing there with reference to the Ṣaḥīḥs of al-Bukhārī and Muslim, which reports that the Holy Prophet صلى الله عليه وسلم said: *أَنَا أَوْلَى النَّاسِ بِعِيسَى* that is, 'Among people, I am the closest to 'Īsā.' He explained the meaning of his remark later in the *Ḥadīth* when he said: *كَيْسٌ بَيْنَنَا نَبِيٌّ* that is, 'No prophet was sent between the two of us.'

As for the three messengers mentioned in Sūrah Yā Sīn (36), they were messengers sent by Sayyidnā 'Īsā عليه السلام who have been called messengers (bearers of a message) in the literal sense.

About the appearance of Khālīd ibn Sinān al-'Arabī during this gap as reported by some chroniclers, Tafsīr Rūḥ al-Ma'ānī says with reference to Shihāb that his being a prophet is correct, but the period in which he came was earlier than Sayyidnā 'Īsā عليه السلام not after him.

Rulings concerning the Gap

Obviously, the verse seems to indicate the fate of the group of people who were not visited by any messenger or prophet or their deputies, nor did they have the religious laws of past prophets preserved with them; such people will be considered excusable and will deserve

no punishment on the condition that such people should have not committed *Shirk*, the grave sin of ascribing partners in the Divinity of Allah. Therefore, Muslim jurists differ about rulings which apply to the people of *Fatrah* (gap), particularly about whether or not they will be forgiven.

The majority tilts towards the hope that they will be forgiven if they had kept adhering to the religion which had survived with them as originating from Sayyidnā Mūsā or Sayyidnā 'Isā عليها السلام irrespective of its authenticity - again, subject to the condition that they had not been hostile to the principle of *Tauḥīd*, the Oneness of Allah, and had nothing to do with the practice of *Shirk*. The reason is that the Principle of *Tauḥīd* needs no reported proof. Any human being who ponders over it could himself reason it out.

A Question and its Answer

A question may arise here that the Jews and Christians, the people of the Book, who are being addressed in this verse did have the Torah and the Evangile and their sages and scholars with them even if no messengers reached them during this gap. How then could they come up with the excuse on the Day of Judgement that they had received no guidance? The answer is that by the time of the Holy Prophet ﷺ the original Torah and the Evangile had gone extinct. There were alterations in texts and additions of false narratives. Thus, the availability of non-original scriptures were no better than its extinction. The likelihood of an original manuscript surviving at some unknown place with someone would not be contrary to the assertion made. In fact, some scholars including Ibn Taymiyyah have written that the original copies of the Torah and Evangile were present at some places.

The Unique Perfection of the Last among Prophets ﷺ

When, by addressing the people of the Book in this verse, it was said that 'Our Messenger, Muḥammad al-Muṣṭafā ﷺ has come after a long gap,' there emerges a subtle hint towards the need that people who have been honoured with his presence among them should consider this as a matchless blessing and a supreme asset because the line of prophets had remained suspended since a long time and it has been opened for them once again.

Yet another indication given here is towards the fact that the

world has been blessed with his presence in an age and at a place which lacked the light of knowledge and faith. The creation of God had lost its link with God only to be immersed in the worship of self-made idols. In the backdrop of a time such as this, the mission of reviving a people so lost was no easy task. This time was the notorious *Jahiliyyah*, commonly identified as the Age of Ignorance, and the people from it who were entrusted with the Prophet of Islam were spoiled, self-centered and uncompromising. Yet, such was the bliss of his company and so bracing was the light of his mission that this very set of people became, in a very short time, role models and teachers for the whole world in all departments of life - in knowledge, deed, morals, dealings, social living, to name only a few. This, then, becomes a widely witnessed and authentically verified proof that he was a Prophet and Messenger of Allah and that his prophetic teachings were the most effective and the most surpassing among those coming from all past prophets. Imagine the mission of a physician who treats a hopeless patient and does it at a place which lacks medical instruments, and medicines too, yet he succeeds in his effort to treat the patient to the limit that this patient, not simply that he rises from his death-bed to become a healthy person, but that he goes way ahead and himself turns into an expert physician and healer as well - if so, who can doubt the perfection of the master healer!

With this in view, we can see that following the long gap when disbelief in and disobedience to God reigned supreme everywhere, his teaching and training spread out the kind of universal light which remains unparalleled by any age previous to it. In short, out of all miracles, this one miracle alone could compel human beings to have faith in him.

Verses 20 - 26

وَإِذْ قَالَ مُوسَى لِقَوْمِهِ يَقَوْمِ اذْكُرُوا نِعْمَةَ اللَّهِ عَلَيْكُمْ إِذْ جَعَلَ
فِيكُمْ أَنْبِيَاءَ وَجَعَلَكُمْ مُلُوكًا وَآتَاكُمْ مَا لَمْ يُؤْتِ أَحَدًا مِّنَ
الْعَالَمِينَ ﴿٢٠﴾ يَقَوْمِ ادْخُلُوا الْأَرْضَ الْمُقَدَّسَةَ الَّتِي كَتَبَ اللَّهُ
لَكُمْ وَلَا تَرْتَدُّوا عَلَى أَدْبَارِكُمْ فَتَنْقَلِبُوا خَاسِرِينَ ﴿٢١﴾ قَالُوا

يُمُوسَىٰ إِنَّ فِيهَا قَوْمًا جَبَّارِينَ ۖ وَإِنَّا لَنُتَخَلَّكُمَا حَتَّىٰ يَخْرُجُوا مِنْهَا ۚ فَإِن يَخْرُجُوا مِنْهَا فَإِنَّا دُخِلُونَ ﴿٢٢﴾ قَالَ رَجُلَيْنِ مِنَ الَّذِينَ يَخَافُونَ أَنِعَمَ اللَّهُ عَلَيْهِمَا ادْخُلُوا عَلَيْهِمُ الْبَابَ ۚ فَإِذَا دَخَلْتُمُوهُ فَانْكُمُ غَلِبُونَ ۚ وَعَلَى اللَّهِ فَتَوَكَّلُوا إِن كُنْتُمْ مُؤْمِنِينَ ﴿٢٣﴾ قَالُوا يُمُوسَىٰ إِنَّا لَنُتَخَلَّكُمَا أَبَدًا مَّا دَامُوا فِيهَا فَادْهَبْ أَنتَ وَرَبُّكَ فَقَاتِلَا إِنَّا هَاهُنَا قَاعِدُونَ ﴿٢٤﴾ قَالَ رَبِّ إِنِّي لَا أَمْلِكُ إِلَّا نَفْسِي وَآخِي فَاغْرُوبُ بَيْنَنَا وَبَيْنَ الْقَوْمِ الْفَاسِقِينَ ﴿٢٥﴾ قَالَ فَإِنَّهَا مُحَرَّمَةٌ عَلَيْهِمْ أَرْبَعِينَ سَنَةً ۚ يَتِيهُونَ فِي الْأَرْضِ ۚ فَلَا تَأْسَ عَلَى الْقَوْمِ الْفَاسِقِينَ ﴿٢٦﴾

And when Mūsā said to his people, "O my people, remember the blessing of Allah upon you when He made prophets from among you, made you kings and gave you what He did not give to anyone in the worlds. [20]

O my people, enter the Holy Land which Allah has destined for you, and do not turn back, for then you will turn losers." [21]

They said, "O Mūsā, there is a nation of tyrants over there and we shall never go in there until they get out of it. If they do get out of it, we are ready to go in." [22]

Said two men from among the God-fearing, on whom Allah had bestowed His favour, "Enter the gate (charging) upon them. And once you have entered it, you are the ones to overcome. And in Allah you must place your trust, if you are believers." [23]

They said, "O Mūsā, we shall never enter it, in any case, so long as they are there. So go, you and your Lord, and fight. As for us, we are sitting right here." [24]

He said, "O my Lord, I have no control except over myself and my brother. So, make a separation between us and the sinning people." [25]

He (Allah) said, "This (land) is prohibited to them for

**forty years. They shall be wandering around the earth.
So, do not grieve for the sinning people."** [26]

Commentary

Previous to the verses cited above, a pledge was mentioned in which the Banī Isrā'īl were bound to obey Allah and His Messenger. Mentioned along with it was their customary breach of trust, and its punishment. Taken up in the verses appearing above there is a particular event which shows such a breach.

That event goes back to the time when Pharaoh and his army were drowned in the sea and Sayyidnā Mūsā عليه السلام and his people, the Banī Isrā'īl, once delivered from the slavery of the Pharaoh, became the masters of Egypt. Then, to bless them with His added reward, and to let them repossess their ancestral land of Syria, Allah Ta'ālā commanded them through Sayyidnā Mūsā عليه السلام that they should enter the Holy Land, that is, Syria, with the intention of *Jihād*. And along-with it, they were given the good news that victory will be all theirs in this *Jihād* - as Allah had made that holy land their destiny and they were bound to have it. But, the Banī Isrā'īl had their peculiar traits of character. They saw the blessings of Allah with their own eyes, they saw the spectacle of the drowning of Pharaoh and the conquest of Egypt, yet they failed, once again, to stand by the solemn pledges they had given and elected to sit out the *Jihād* of Syria squarely against this Divine command. The punishment they received for it was in the form of a forty-year confinement to a limited area where, strangely enough, there were no walls or fences around them, nor were they in chains. Instead, they were free to move in an open area and actually travelled every day, right from the morning through the evening, with the intention of returning to Egypt, their homeland. But, when came the evening, they would find themselves exactly at the spot from where they had started in the morning. During this period, Sayyidnā Mūsā and Sayyidnā Hārūn عليهما السلام left this mortal world and these people kept wandering in the wilderness of *Tih*. It was after that, that Allah Ta'ālā sent other prophets for their guidance.

Thus, after the passage of full forty years, those who survived from among them resolved to take up the *Jihād* of Syria and Baytul-Maqdis under the leadership of the prophet of their time and the promise of

Allah that the Holy Land had been destined for them was thus fulfilled. This is a summary of the event referred to in the verses cited above. Let us now see its details in the words of the Qur'an.

When Sayyidnā Mūsā عليه السلام received the instruction to call his people to *Jihād* in order to conquer Baytul-Maqdis and Syria, he acted very much in accordance with his prophetic wisdom so crucial in giving good counsel. Therefore, before announcing the Divine command to his people, he reminded them of the many blessings bestowed upon them upto that time. He said:

اَذْكُرُوا نِعْمَةَ اللَّهِ عَلَيْكُمْ اِذْ جَعَلَ فِيكُمْ اَنْبِيَاءَ وَجَعَلَكُمْ مُلُوكًا وَاَنْسَكُمْ مَا لَمْ
يُؤْتِ اَحَدًا مِّنَ الْعَالَمِينَ

O my people, remember the blessings of Allah upon you when He made prophets from among you, made you kings and gave you what He did not give to anyone in the worlds.

Recounted here are three blessings. The first of these is a spiritual blessing, that is, many prophets were sent to them continuously, a spiritual honour which can hardly be matched. It has been reported in Tafsīr Mazharī that no other community has had such a large number of prophets as compared to Banī Isrā'īl.

Hadīth authority, Ibn Abī Ḥatīm, reports on the basis of a narration from A'mash that in only one single period, the last period of the people of Banī Isrā'īl which extends from Sayyidnā Mūsā عليه السلام to Sayyidnā 'Isā عليه السلام, one thousand prophets were sent to Banī Isrā'īl. The second blessing mentioned in the verse quoted immediately above is a material blessing, that is, they were made masters and wielders of power. The hint given here is that the people of Banī Isrā'īl who were the oppressed slaves of the Pharaoh and his people for many ages saw how Allah Ta'ālā destroyed their enemies and how they themselves were made masters and kings. Noteworthy here is the statement about prophets where it was said: جَعَلَ فِيكُمْ اَنْبِيَاءَ (He made prophets from among you) which carries the sense that the whole people were not prophets, and this is the truth as prophets are only a few while the large body of people follows them. But, when it comes to the subject of temporal power on countries and states, said there was: وَجَعَلَكُمْ مُلُوكًا (and made you kings) the outward sense of which is that they (all) were

made kings. The Arabic word, '*mulūk*' used in the text is the plural of *malik* which means a king in common usage. Obviously, when a whole people cannot be all prophets, no people of a country can be all kings. What happens is that authority in a country rests in the hands of an individual or some individuals while the rest of the people are subordinate to them. But, here the words of the Qur'an are attributing kingship to all of them.

One reason for this is what has been stated by Maulānā Ashraf 'Alī Thānavī with reference to some righteous elders in his Tafsīr Bayān al-Qur'an, that is, the sovereignty of the 'king' of a country is customarily attributed to his entire people, for example, during the middle centuries of Islam, the government was called as that of Ummaiyyids and 'Abbāsids. Similarly, the rule of Ghaznavīs and Ghaurīs, then, that of Mughals, and after that, the rule of the British in India was attributed to all individuals of entire people of that country. Therefore, a whole people having a ruler are known (by proxy) to be rulers of that country.

It was according to this usage that the Qur'an has attributed kingship to the whole people of Banī Isrā'īl. In this, there may be a hint that an Islamic state is really run by a government of the people. It is the people who have the right to elect their Amīr (Imam, leader or ruler) and it is once again, the right of the people who can, by their collective will, remove the holder of that office. Therefore, when seen outwardly, a ruler rules as one individual, but, in reality, that rule is that of the people.

The second reason as reported from some elders by Ibn Kathīr, Maẓharī and others is that the sense of '*malik*' is more general than that of a king. In common usage, this word is also applied to a person who is well-to-do, has a home, owns property and employs help. In the light of this sense, that was a time when every individual from the Banī Isrā'īl was like a king of his castle. That explains the attribution of kingship to the entire Banī Isrā'īl.

The third blessing mentioned in this verse is a combination of both, the spiritual and the material. It was said: *وَأَنصَبْكُمْ مَّا مَنَ يُؤْتِي أَحَدًا مِّنَ الْعَالَمِينَ* that is, they were given the kind of blessings which were not given to anyone else in all the worlds. Included under these blessings is spiritual

distinction highlighted by the station of prophethood and, along with it, the more obvious temporal power, authority, domain and wealth too. However, a question may arise here regarding the belief that the Muslim *Ummah*, the large body of believers in the Last among Prophets صلى الله عليه وسلم, is the most distinct among all Communities as supported by the textual authority of the Holy Qur'an, such as: كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ (You are the best *Ummah* raised for mankind - 3:110) and: كَذَلِكَ جَعَلْنَاكُمْ أُمَّةً وَسَطًا (And in the same way, We made you a moderate *Ummah* - 2:143) prove it, as do the many narrations from the Prophet's living Traditions. The answer is that the people of the world being mentioned in this verse are the people who were living in the particular period of Banī Isrā'īl which was marked by the presence of Sayyidnā Mūsā عليه السلام among them. That was the time when no one in all the worlds was as blessed as were the Banī Isrā'īl. That any other community in times to come could be blessed more than them should not be considered contrary to this.

The saying of Sayyidnā Mūsā عليه السلام in the first verse (20) was his introductory remark to the Divine command which appears in the following verse (21) in the words: يُقَوْمِ ادْخُلُوا الْأَرْضَ الْمَقْدَسَةَ الَّتِي كَتَبَ اللَّهُ لَكُمْ (O my people, enter the Holy Land which Allah has destined for you ...).

Which land is the Holy Land?

Apparently, commentators differ about it. Some say that it means Baytus-Maqdis (Jerusalem). Some identify the city of Quds and Eliah as fitting the description of the Holy Land. Still others point out to the city of Ariḥa which was located between the Jordan river and Baytul-Maqdis and was reported to be one of the oldest cities of the world. In fact, it is still there. Unusual statements portraying its grandeur and vastness have been reported historically. Some narrations say that the city was divided over one thousand wards or counties and every such section had some one thousand public gardens each. Then, there are other narrations which indicate that the Holy Land means Damascus and Palestine, or Jordan, according to some others. And Sayyidnā Qatādah has said that the entire land of Syria is the Holy Land. Sayyidnā Ka'b al-Aḥbār has said that he has seen in the Book of Allah (perhaps, the Torah) that the country of Syria is a special treasure of Allah on this entire earth and there are in it Allah's very special and

very dear servants. This land has been called 'holy' because it has been home to the blessed prophets of Allah. According to some narrations, on a day when Sayyidnā Ibrāhīm عليه السلام climbed a mountain in Lebanon, Allah Ta'ālā said: O Ibrāhīm, look from here and as far as you will see, that land We have made the Holy Land. All narrations cited here have been taken from Tafsīr Ibn Kathīr and Tafsīr Maḥzarī and the truth of the matter is that there is not much of a contradiction in these sayings. According to later narrations, the whole country of Syria is the Holy Land - it is just that some narrators have described a certain part of the country of Syria while some others have identified the whole of it.

Looking at verse 22 which begins with the words: قَالُوا يَمُوسَى (They said, O Mūsā ...), it will be recalled that, in the verse previous to it (21), Allah Ta'ālā had commanded the Banī Isrā'īl through Sayyidnā Mūsā that they should wage a *Jihād* against the Amalkites and conquer Syria - given along with it was the good news that the land of Syria has been destined for them, therefore, their victory is certain.

The present verse (22) tells us that, despite the Divine command and assurance, the Banī Isrā'īl, because of their well-known contumacy and crookedness, just did not obey that command as well. Instead of doing that, they said: 'O Mūsā, there is a nation of tyrants over there, and we shall never go in there until they get out of it. If they do get out of it, then, we are ready to go in.'

The actual event as reported from the masters of Tafsīr (Exegesis), Sayyidnā 'Abdullāh ibn 'Abbās, 'Ikrimah, 'Alī ibn Abī Ṭalḥah and others is that it was a time when the Amalkites ruled Syria and Baytul-Maqdis. They were an offshoot of the people of 'Ād, unusually big in height and size and very ferocious in looks and behavior. They were the people Sayyidnā Mūsā عليه السلام and his community were asked to fight against and go on to conquer Baytul-Maqdis.

To carry out the Divine command, Sayyidnā Mūsā عليه السلام marched towards Syria in the company of his people, the Banī Isrā'īl. Baytul-Maqdis was their first destination. After crossing the Jordan river, when they reached Ariḥā, the oldest city of the world, they made a stopover. We have already read about the appointment of twelve chiefs to administer the affairs of Banī Isrā'īl in the previous verses of the

Holy Qur'ān. The same chiefs were asked to go on an advance fact-finding mission into enemy territory. Their duty was to gather intelligence on local conditions, the battle front and about the people who control Baytul-Maqdis and against whom they have to wage the *Jihād*. When these chiefs reached Baytul-Maqdis, they were stopped by an Amalkite man right outside the gate of the city. He, all alone, put them under arrest and took them to his king reporting to him that these people had come to fight them. The king went into consultation with his courtiers. Their decision was that all of them should either be killed or punished in some other way. Finally, they agreed upon the proposal that they should be allowed to go free so that they could return to their people and become walking eye witnesses of the great power and grandeur of the Amalkites against which they would never dare to think of marching.

At this point in most books of Tafsīr, reported there are tall tales from Isra'īlite narrations which give the name of the person who accosted these chiefs as 'Awj ibn 'Unuq. His extra-ordinary height and size and his power and strength has been described there with such exaggeration that a sensible person would find it too thick even to just pass it onwards.

Tafsīr authority, Ibn Kathīr has said: Tales reported in such Isra'īlite narrations can neither be accepted by reason nor do they have any justification in the Sharī'ah. In fact, all this is a bundle of lies and imputations. The truth of the matter is no more than that there are the people called the Amalkites. Since they are the remnants of the people of 'Ād whose awesome height and size has been mentioned by the Holy Qur'ān itself, so, their huge size and unusual strength were proverbial. One of their men proved strong enough to arrest and take away twelve men from the people of Banī Isrā'īl.

However, freed by the Amalkites, the twelve chiefs of Banī Isrā'īl returned to their people at Ariḥa. They told Sayyidnā Mūsā عليه السلام about these unusual people and how unbelievable was their power and grandeur. Whatever they said to him left his heart unmoved because Allah Ta'ālā had already given him the good news of victory over them through revelation.

So, despite having heard about the power of his enemy, he stood

like a rock making preparations for the *Jihād* initiative. But, he had realized the danger that, should the Banī Isrā'īl come to hear about this unusual strength of their adversary, they would cringe and back out. Therefore, he instructed those twelve chiefs not to talk about the Amalkites before their people, in fact, he asked them to keep this as a guarded secret. But, what actually happened was that everyone from among them passed on the information to their respective friends privately. There were only two of them, Yūshā' ibn Nūn and Kālīb ibn Yu'qinā, who strictly followed the instructions of Sayyidnā Mūsā عليه السلام and did not disclose the secret to anyone.

When ten out of the twelve chiefs let the secret out, it was only natural that the secret became public knowledge. Hit by the news of conditions prevailing in the enemy country, they were all upset. Wailing and protesting, they said: It would have been much better if we too had been drowned in the Nile like the people of the Pharaoh! Now those who saved us there have brought us here to be killed at the hands of those tyrants! It was under these conditions that the Banī Isrā'īl said the following words:

يٰمُوسٰى اِنَّ فِيْهَا قَوْمًا جَبّٰرِيْنَ وَاِنَّا لَنْ نَدْخُلَهَا حَتّٰى يَخْرُجُوْا مِنْهَا

They said, "O Mūsā, there is a nation of tyrants over there and we shall never go in there until they get out of it. If they do get out of it, we are ready to go in."

It appears in the next verse (23) that two persons, God-fearing and blessed by Allah, hearing the remarks made by the Banī Isrā'īl, gave them some good counsel by saying: Why are you so scared of death much before it has come? Just take a few steps. The gate of the city of Baytul-Maqdis is not far. Take heart and make your move. Only this much of your action, we believe, will become the cause of your victory. Once you enter the gate of Baytul-Maqdis, you will overcome your enemy who would run in defeat. These two persons mentioned in this verse are, according to most commentators, the same two of the twelve chiefs who had faithfully acted upon the advice given by Sayyidnā Mūsā عليه السلام and had abstained from telling the Banī Isrā'īl everything about the Amalkites - that is, Yūshā' ibn Nūn and Kālīb ibn Yu'qinā.

At this place, the Holy Qur'ān has particularly mentioned two attributes of these two elders: (1) : الَّذِينَ يَخْشَوْنَ , that is, 'those who fear.' Not said here is as to who it is that they fear. The hint thus given is that there is only one Being in this whole world who deserves to be feared, that is, Allah *Jalla Sha'nuhū* , because He is the Absolute Master of this entire universe. No one can, without His will and permission, bring the least benefit to anyone, nor cause any harm - and when only one Being is deserving of being feared, and that is already determined, then, there remains no need to redetermine it.

The second attribute of these two elders pointed to by the Holy Qur'ān is: (2) : أُنْعِمَ اللَّهُ عَلَيْهِمَا , that is, 'Allah had blessed them.' The hint given here is that whoever has any excellence in him anywhere, that is nothing but the blessing and favour of Allah Ta'ālā - otherwise, these twelve chiefs were all blessed with similar outward gifts of hands, feet, eyes and ears with reason and sense on the inside, along with the fortunate company of Sayyidnā Mūsā عليه السلام. They had all the strengths on their side, yet they all slipped except these two who stood firm on their committment. This tells us that real guidance does not depend upon one's strength of inward and outward faculties or his effort or deed. Instead, it is a reward from Allah Ta'ālā. However, to become deserving of this reward, effort and deed are, no doubt, a condition.

The standard rule of conduct we learn from here is that a person whom Allah Ta'ālā has blessed with reason, intelligence and smartness should not wax proud over these personal strengths while conducting the business of his life. The best course for him is to seek good guidance in all matters of his life from Allah alone.

In short, these two elders advised their people that they should not feel nervous about the apparent power of the Amalkites. If they would place their trust in Allah, just walk upto the gate of Baytul-Maqdis, victory shall be theirs. As for the decisive statement of these elders that once they reach the city gate, they will overcome and the enemy will run away defeated, it could have been based on a close assessment of the Amalkites, that they were, no doubt, unusually huge in built and strength, but were also weak at heart as a result of which, once they hear about the surprise attack, they would be unable to stay there. And it is also possible that their total faith in the Divine decree

which they had heard from Sayyidnā Mūsā عليه السلام as a glad tidings was the basis on which they said so.

But the Banī Isrā'īl who had not listened to their own prophet Sayyidnā Mūsā عليه السلام would have hardly listened to these elders. They gave them the same response, even in a manner which was more uncouth and grotesque. They said: فَادْهَبْ أَنْتَ وَرَبُّكَ فَقَاتِلَا إِنَّا هُنَا نَعْبُدُونَ (So go, you and your Lord, and fight. As for us, we are sitting right here). Had this remark of the Banī Isrā'īl been by way of mockery, it would have been open blasphemy (*Kufr*). After that, the fact of Sayyidnā Mūsā عليه السلام living with them and praying for them in the wilderness of Tih which finds mention in the next verse would have not been possible.

Therefore, the sense of this statement given by leading commentators is: 'You go and fight them. Your Lord will help you. As for us, we cannot help you.' Given this sense, their statement cannot be taken as blasphemy, though the response given by them remains grotesque and hurtful. This is why this statement of the Banī Isrā'īl became proverbial.

Let us recollect a related episode from the early period of Islam. This is the Battle of Badr. An army contingent of a thousand strong youngmen starts marching against Muslims, who are hungry and almost unarmed. Seeing this happen, the Holy Prophet صلى الله عليه وسلم started praying before his Lord. Then, a Ṣaḥābī, Sayyidnā Miqdād ibn al-Aswad رضى الله عنه stepped forward and said: 'Yā Rasūl Allah, we swear by Allah we shall never say what was said to Sayyidnā Mūsā عليه السلام by his people, that is: فَادْهَبْ أَنْتَ وَرَبُّكَ فَقَاتِلَا إِنَّا هُنَا نَعْبُدُونَ (So go, you and your Lord, and fight. As for us, we are sitting right here). Instead of that, we shall defend you from your right and left and from the front and rear. Please feel free of any concern and go ahead with your battle plan.'

When he heard this, the Holy Prophet صلى الله عليه وسلم was very pleased, and his Companions too were fired with a renewed zeal for *Jihād*. Sayyidnā 'Abdullāh ibn Mas'ūd رضى الله عنه always used to say: 'I really envy this feat of Miqdād ibn al-Aswad. I wish I too had this good fortune.'

In gist, the people of Sayyidnā Mūsā عليه السلام, by giving him a flat

response at such a crucial time, broke all pledges they had made.

The Determination of Sayyidnā Mūsā عليه السلام against the Treachery of his People

The prayer of Sayyidnā Mūsā عليه السلام قَالَ رَبِّ إِنِّي لَا أَمْلِكُ إِلَّا نَفْسِي (He said, "O My Lord, I have no control except over myself" should be seen in the perspective of the events in the life of the people of Banī Isrā'īl, the favours of Allah bestowed upon them and the conduct of their prophet, Sayyidnā Mūsā عليه السلام in their case. An impartial observer would not fail to notice that the people of Banī Isrā'īl had been suffering from all sorts of pain and disgrace as slaves and serfs of the Pharaohs for centuries. It was the teaching of Sayyidnā Mūsā عليه السلام, and his *barakah* by virtue of which Allah Ta'ālā blessed them with unprecedented stations. With their own eyes, they saw so many manifestations of the most perfect power of Allah *Jalla Sha'nuhū*. The Pharaoh and the people of Pharaoh were defeated on their own grounds, in the Court confrontation summoned by them at the hands of Sayyidnā Mūsā and Sayyidnā Harūn, peace be upon both of them. The magicians they had trusted were the magicians who placed their trust in Sayyidnā Mūsā عليه السلام and elected to stay by his side. Then, there was the Pharaoh, the one who claimed to be God, and alongwith him, there were so many members of his family who lived in luxury in the royal palace. And then, their eyes saw how the great subduing power of Allah, the Mighty, the Exalted, made all of them vacate all palaces and mansions they lived in and leave behind all they once owned, all simultaneously, in a single sweep of time. And how He drowned the Pharaoh in the sea with Banī Isrā'īl looking on the spectacle and how did He make the miracle of Banī Isrā'īl themselves cross the river. And finally, how was the wealth, over which the Pharaoh waxed proud by saying: أَلَيْسَ لِي مُلْكُ مِصْرَ وَهَذِهِ الْأَنْهَارُ تَجْرِي مِنْ تَحْتِي (Is it not that this land of Egypt is for me and these are rivers which flow from beneath me?) given out by Allah Ta'ālā, the entire country and the entire wealth, without any fighting or killing, to the Banī Isrā'īl !

These were great happenings. These people were direct witnesses to the manifestations of Allah's supreme power to subdue. No less was the good done to them by Sayyidnā Mūsā عليه السلام who first delivered them from heedlessness and ignorance and then freed them from the

slavery of the Pharaoh facing unbearable hardships in that process. After all that, when these very people were commanded to mount a *Jihād* on Syria, of course with assurances of Divine help and promises of rewards, they betrayed their mean nature and said: اذْهَبْ أَنْتَ وَرَبُّكَ فَقَاتِلَا إِنَّا هَاهُنَا قَاعِدُونَ (So go, you and your Lord, and fight. As for us, we are sitting right here). Let the greatest possible reformer in the world stop for a while, cross his hand over his heart and think what effect such low attitudes demonstrated by the people he was working for would have produced on him. But, here we are talking about a highly determined *Rasūl* of Allah who stands there as an immovable model of steadfastness, despite all odds, and pursuing his goal relentlessly.

Now that he was made helpless by repeated breaches of trust committed by his people, he turns to his Lord and to Him he says only this much: إِنِّي لَا أَمْلِكُ إِلَّا نَفْسِي وَأَخِي (I have no control except over myself and my brother). And the problem was how could he now carry out the *Jihād* expedition against the Amalkites? Also worth noticing is the fact that there were at least two chiefs of the Banī Isrā'īl, Yūshā' ibn Nūn and Kālīb ibn Yu'qinā, who had proved themselves to have been faithful followers of Sayyidnā Mūsā عليه السلام and had made consistent efforts with him to give good counsel to their people and bring them to the right path. Still at this time, he made no mention of them as well. He simply talked about himself and his brother, Sayyidnā Hārūn عليه السلام. It had no other cause but the same treachery and disobedience of the people of Banī Isrā'īl. Sayyidnā Hārūn عليه السلام, being a prophet was the only one Divinely protected there. That he would stand firm by the truth in word and deed was certain. As for the two chiefs, they were not so protected and infallible. So, being in pain and anger, he mentioned only those he was certain would stand firm on truth - 'I have no control except over myself and my brother.'

The prayer that Sayyidnā Mūsā عليه السلام made after that was: فَانْفِرُوا بَيْنَنَا وَبَيْنَ الْفَاسِقِينَ (So, make a separation between us and the sinning people). The substance of this prayer, according to an explanation given by Sayyidnā 'Abdullāh ibn 'Abbās رضي الله عنه, was that 'the punishment these people deserved should be given to them; and whatever we are found to be deserving of should be awarded to us.'

The manner in which Allah Ta'ālā answered this prayer was: فَأَنهَآ

مَحْرَمَةٌ عَلَيْهِمْ أَرْبَعِينَ سَنَةً، يَتِيهُونَ فِي الْأَرْضِ (This [land] is prohibited to them for forty years. They shall be wandering around the earth). It means that the land of Syria was forbidden for them for forty years. They shall not go there, even if they wanted to. And not simply that they would be unable to go to the land of Syria, they would also be unable to return back to their homeland of Egypt, if they thought of going there. Instead of that, they shall be detained in this wilderness.

For punishments that come from Allah Almighty who needs the police and their handcuffs or the high and strong walls and iron-gates of prisons? When He intends to detain anyone, He needs none of these formal arrangements. He can put one under arrest even on grounds open from all sides. The reason is obvious. The whole universe is at His command. It was created by Him and from Him it takes its orders. When the universe is served with Divine orders to put someone under arrest, the air and the atmosphere and the earth and the space become the jailor for the condemned.

So, this open land area located between Egypt and Baytul-Maqdis is comparatively small. Its measurement, according to the Tafsīr of Sayyidnā Muqātil رحمه الله, is thirty *Farsakh* in length and nine *Farsakh* in width. If one *Farsakh* is taken to be equal to three miles, it comes to be a total area of ninety miles in length and twenty seven miles in width. And according to some narrations, the whole area is thirty by eighteen miles. Thus, Allah Ta'ālā detained a whole people whose total number, according to the statement of Sayyidnā Muqātil رحمه الله, was six hundred thousand, restricting them within this small open ground in a manner that they kept struggling for full forty years to somehow get out of this open land area and return back to Egypt, or go forward and reach Baytul-Maqdis. But, what actually happened was that by the time came evening after a whole day's journey, they discovered that they have been as if moving in a circle having returned to the same spot from where they had started in the morning.

Authentic scholars of Tafsīr say that the punishment Allah *Jalla Sha'nuhū* gives to a people is in proportion to their evil deed. Since these disobedient people had uttered the words: إِنَّا هُنَا مُعْذُونٌ (we are sitting right here), Allah Ta'ālā had them detained right there for forty years in punishment. Historical accounts in this matter differ. Some

say that during these forty years, the present generation which had disobeyed was totally destroyed. Their next generation survived and it was this generation which, after having been delivered from this forty-year detention, entered Baytul-Maqdis; or, there were some people from the earlier generation who were still surviving. However, there was that promise of the Holy Qur'ān: كَتَبَ اللَّهُ لَكُمْ (that is, Allah has destined the Holy Land of Syria for the Banī Isrā'īl). That promise had to be fulfilled, that the Banī Isrā'īl should take it over and rule the land. But, the people of Banī Isrā'īl present during that time elected to ignore this Divine award for which they were duly punished: مُعَذِّبَةً عَلَيْهِمْ أَلَّا يَكُونُوا لَأَزِيدُنَّ سِنًا that is, they were deprived of victory over the Holy Land for forty years. Then, it was at the hands of their next generation, that this country was conquered, and the promise of Allah Ta'ālā stood fulfilled.

In this wilderness of Tīh, Sayyidnā Mūsā and Hārūn عليهما السلام were with their people for whom this wilderness was nothing but detention and punishment, while, for these two blessed souls, it was the fountain head of Divine blessings. This is why this period of forty years during which the Banī Isrā'īl were condemned was still full of many silver linings. Such was the *barakah* of the presence of Sayyidnā Mūsā and Hārūn عليهما السلام among them, that Allah Ta'ālā showered on them blessings of many kinds. When they became helpless against the scorching sun over their heads in an open field, Allah Ta'ālā, answering the prayer of Sayyidnā Mūsā عليه السلام, stretched out a canopy of clouds over their heads. Wherever they went, these clouds would follow them with their shade. When they complained of thirst and the shortage of water, Allah Ta'ālā gave Sayyidna Mūsā عليه السلام a special stone which went with him wherever he went, and when they needed water, Sayyidnā Mūsā عليه السلام would strike it with his staff and twelve streams would gush forth from it. When they were hit by hunger, the heavenly food of *Mann* and *Salva* was sent to them. And when they complained about the darkness during nights, Allah Ta'ālā provided for them a tower of light under the light of which they did what they had to do.

To sum up, this wilderness of Tīh was not full of condemned people only. In fact, there were two dear prophets of Allah Ta'ālā and with them two favoured elders, Yūshā' ibn Nūn and Kalīb ibn Yu'qinā, as

well. It was for their sake that, even during this period of detention and punishment, blessings kept coming to them. And since Allah Ta'ālā is the Most Merciful of all those merciful, it is possible that these once disobedient people from the Banī Isrā'īl, after having witnessed the happenings around them, may have repented from their sins and may be it was in return for their act of repentance that they were being blessed with these rewards.

According to authentic narrations, it was during this period of forty years that Sayyidnā Hārūn عليه السلام died. Then, after a year or six month, came the death of Sayyidnā Mūsā عليه السلام. After them, Allah Ta'ālā appointed the revered elder, Yūshā' ibn Nūn as a prophet and gave him the mission of guiding the Banī Isrā'īl. When the period of forty years of detention was over, the remaining people of Banī Isrā'īl got together under the leadership of Sayyidnā Yūshā' ibn Nūn and marched towards Baytul-Maqdis on this mission of *Jihād*. True to the promise of Allah Ta'ālā, they conquered Syria and the wealth of the land they inherited was unimaginable.

That it has been said: فَلَا تَأْسَ عَلَى الْقَوْمِ الْفَاسِقِينَ (so do not grieve for the sinning people) at the end of verse 26 has a basis, for the blessed prophets, may peace be upon them all, are endowed with a natural disposition which makes it impossible for them to bear by the pain and hardship of their people. Even if they are punished, the prophets too are affected emotionally. Therefore, Sayyidnā Mūsā عليه السلام has been comforted here that he should not grieve over the punishment given to those people.

Verses 27 - 32

وَاتْلُ عَلَيْهِمْ نَبَأَ ابْنَيْ آدَمَ بِالْحَقِّ ۖ إِذْ قَرَّبَا قُرْبَانًا فَتُقْبِلَ مِنْ أَحَدِهِمَا وَلَمْ يُتَقَبَّلْ مِنَ الْآخَرِ ۚ قَالَ لَا قُتِلْتُكَ ۖ قَالَ إِنَّمَا يَتَقَبَّلُ اللَّهُ مِنَ الْمُتَّقِينَ ﴿٢٧﴾ لَئِنْ بَسَطْتَ إِلَيَّ يَدَكَ لِتَقْتُلَنِي مَا أَنَا بِبَاسٍ بِيَدَيْكَ ۚ لَا قُتِلَكَ ۖ إِنِّي أَخَافُ اللَّهَ رَبَّ الْعَالَمِينَ ﴿٢٨﴾ إِنِّي أُرِيدُ أَنْ تَبُوءَ بِإِثْمِي وَإِثْمِكَ فَتَكُونَ مِنْ أَصْحَابِ

النَّارِ وَ ذَلِكَ جَزَاُ الظَّالِمِينَ ﴿٢٩﴾ فَطَوَّعَتْ لَهُ نَفْسُهُ قَتْلَ
 أَخِيهِ فَقَتَلَهُ فَأَصْبَحَ مِنَ الْخَاسِرِينَ ﴿٣٠﴾ فَبَعَثَ اللَّهُ غُرَابًا
 يَبْحَثُ فِي الْأَرْضِ لِيُرِيَهُ كَيْفَ يُوَارِي سَوْءَةَ أَخِيهِ قَالَ
 يُوَيْلَتَى أَعَجَزْتُ أَنْ أَكُونَ مِثْلَ هَذَا الْغُرَابِ فَأُوَارِيَ سَوْءَةَ
 أَخِي فَأَصْبَحَ مِنَ النَّادِمِينَ ﴿٣١﴾ مِنْ أَجْلِ ذَلِكَ كَتَبْنَا عَلَى
 بَنِي إِسْرَءِيلَ أَنَّهُ مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي
 الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا
 النَّاسَ جَمِيعًا وَلَقَدْ جَاءَتْهُمْ رُسُلُنَا بِالْبَيِّنَاتِ ثُمَّ إِنَّ كَثِيرًا
 مِنْهُمْ بَعَدَ ذَلِكَ فِي الْأَرْضِ لَمُسْرِفُونَ ﴿٣٢﴾

And recite to them the story of the two sons of Ādam truthfully. When they both offered a sacrifice, then it was accepted from one of them and was not accepted from the other. He said, "I will kill you." He said, "Allah accepts only from the God-fearing. [27] If you stretch your hand towards me to kill me, I am not going to stretch my hand towards you to kill you. Of course, I fear Allah, the Lord of the worlds. [28] I would rather have you earn my sin and your sin and then become one of the people of the Fire. And that is the punishment of the unjust." [29]

His self, however, prompted him to kill his brother, so he killed him and became one of the losers. [30] Then, Allah sent a crow who was scratching the earth to show him how he should hide the corpse of his brother. He said, "Alas! Was I not even able to be like this crow so that I could hide the corpse of my brother? So, he stood regretful. [31]

For this reason, We prescribed for the children of Isrā'īl that whoever kills a person not (to retaliate) for a person killed nor (to punish) for spreading disorder in the earth, is as if he has killed the whole mankind, and whoever saves the life of a person is as if he has saved the life of the whole mankind. And certainly, Our mes-

sengers have come to them with clear signs. Then, after all that, many of them are there to commit excesses on the earth. [32]

Commentary

The Story of Hābīl (Abel) and Qābīl (Cain)

In these verses, Allah Ta'ālā has instructed the Holy Prophet صلى الله عليه وسلم that he should relate the story of the two sons of Ādam truthfully to the people of the Book, or to the whole *Ummah*.

People who are blessed with insight into the Holy Qur'ān know that it is no book of folklore, fiction or history where the purpose is to relate an event from the beginning to the end. But, events of the past and accounts of earlier peoples carry many lessons and wise counsels within their fold. That is the real essence of history. Then, in them, there are such conditions and circumstances as form the basis of different religious injunctions. In view of these very beneficial considerations, the Qur'ān employs a methodology of its own throughout the text. It would, when the occasion warrants, narrate an event. Most often, it would not narrate the whole event in one sequence and at one place. In fact, preference is given to narrating a particular segment from it which bears some element of purpose and is relevant at the given place.

This story of the two sons of Ādam عليه السلام is being narrated here in the same style. It has many lessons and good counsels for the present and future generations; and under them, mention has been made of many religious injunctions.

We shall proceed by explaining the words used in the text of the Qur'ān following which you will have an idea of the main story, and after that we shall be talking about injunctions and rulings contained therein.

In the previous verses, mentioned there was the command of *Jihād* given to the Banī Isrā'īl and how cowardly and evasive they turned out to be in response. Set in contrast, the present story condemns unjust killing and the destruction it brings in its wake. The purpose is to bring the people to adhere to moderation and balance in this matter, for the way it is an error to cringe and back out from fighting and kill-

ing to uphold the truth and put an end to falsehood, similarly, starting to kill and fight unjustly amounts to a stock destruction of one's material and spiritual life both in the present world and in the Hereafter.

As for the expression: *ابْنَيْ آدَمَ* (*ibn-iy Ādama* : the two sons of Ādam) appearing in the first verse (27), it can be said that, for that matter, every human being, man and woman, is from the progeny of Ādam and everyone can be identified as being from among the children of Ādam. But, according to the judgement of the majority of authentic scholars of Tafsīr, the expression: *ابْنَيْ آدَمَ* at this place means the two real sons of Sayyidnā Ādam عليه السلام, that is, Hābīl and Qābīl. It was to relate their story that it was said: *وَأَتْلُ عَلَيْهِمْ نَبَأَ ابْنَيْ آدَمَ بِالْحَقِّ* (and recite to them the story of the two sons of Ādam truthfully).

While Reporting Historical Accounts, Caution and Truth are Mandatory

Here, by adding the word: *بِالْحَقِّ* (*bil-ḥaqq* : truthfully), stress has been placed on an important principle to be observed while reporting historical narratives. Great caution is mandatory in this matter. These narratives should have nothing false in them, nothing contrary to the truth, nothing dubious or deceptive, nor should there be any change, increase or decrease, of any kind, in the narration of the original event. (Ibn Kathīr)

This is not the only place where the Holy Qur'ān has identified this principle. There are other places too where similar instructions appear that it be observed. In Sūrah 'Al 'Imrān, it was said: *إِنَّ هَذَا لَهُوَ الْقَصَصُ الْحَقُّ* (This is indeed the true narration - 3:62). In Sūrah Al-Kahf, it was said: *نَحْنُ نَقُصُّ عَلَيْكَ نَبَأَهُم بِالْحَقِّ* (We narrate to you their story with truth - 18:13). And in Sūrah Maryam, it was said: *ذَلِكَ عِيسَى ابْنُ مَرْيَمَ قَوْلَ الْحَقِّ* (That was 'Īsā son of Maryam - a Word of Truth ... -19:34). At all these places, by including the key word of *Al-Ḥaqq* or The Truth with historical narrations, the importance of observing truth in reporting events has been made mandatory. The large number of disorders in this world generated through reporting of events usually issue forth from lack of caution in handling it as it should be handled. A little change of word or mode could distort the reality of the event. The religious codes and laws of past communities were lost through this trap door of negligence and lack of caution leaving their religious books to become collections of stories devoid of

reliable authority. So, by adding a single word: بِالْحَقِّ (truthfully) at this place in the verse, a clear signal was given towards this important objective.

In addition to what has been said above, through this very word, the addressees of the Holy Qur'ān are also being chastened and guided to the fact that their noble prophet, on him be the peace and blessing of Allah, who is a total *Ummiyy* (untaught by any human being), yet he is describing the events which took place thousands of years ago, absolutely true and correct. When so, how else could it be explained but that it was Divinely revealed to a Divinely ordained prophet?

After this introduction, the event relating to these two sons of Adam عليه السلام was put in the following words by the Holy Qur'ān: إِذْ قَرَّبَا قُرْبَانًا فَتُقْبِلَ مِنْ أَحَدِهِمَا وَلَمْ يُتَقَبَّلْ مِنَ الْآخَرِ that is, both of them offered their sacrifices for Allah Ta'ālā, but it was accepted from one of them and was not accepted from the other.

The word: قربان (*Qurbān*), in terms of Arabic lexical usage, refers to whatever is made the medium of nearness to someone; and in Islamic legal terminology, it means the *Dhabīḥah* or sacrifice which is offered to seek nearness to Allah Ta'ālā.

The event of offering this sacrifice which has been reported on the basis of sound and strong chains of authorities and which has been declared by Commentator Ibn Kathīr as the unanimously agreed upon position of all earlier and later 'Ulamā is given below.

When Sayyidnā Ādam and Ḥawwā' عليهما السلام came to live in the world and started having children, it so happened that they had twins from every pregnancy, one of the two being a boy, while the other, a girl. That was a time when, among the children of Ādam عليه السلام, there was no one other than brothers and sisters - and brothers and sisters cannot be married to one another. So, Allah *Jalla Sha'nuhū*, in terms of the need of the time, had promulgated a special provision in the religious law given to Sayyidnā Ādam عليه السلام that, as for a boy and girl born out of one pregnancy, they shall be regarded as real brothers and sisters among themselves and marriage between them shall be considered forbidden. But, for a boy born in the second pregnancy, a girl born in the first one shall not be legally taken as a real sister and marriage between them would be permissible.

But, what happened was that the girl born with the first boy, Qābīl, was beautiful while the girl born with the second boy, Hābīl, was ugly. When came the time of marriage, the ugly girl born with Hābīl fell to the lot of Qābīl according to rules. This enraged Qābīl. He turned hostile to Hābīl and started insisting that the girl born with him should be the one given in marriage to him. Sayyidnā Ādam عليه السلام, in view of the legal rule of procedure, did not accept the demand. However, to remove the division between Hābīl and Qābīl, he proposed that they should both offer their respective sacrifice for Allah. Whoever has his sacrifice accepted will be the one to have that girl. The reason is that Sayyidnā Ādam عليه السلام was certain that the sacrifice to be accepted will be the sacrifice of the one who has the right to marry her, that is, the sacrifice of Hābīl.

In those days, an open sign of a sacrifice being accepted was that a fire would come from the sky and eat up the sacrifice; and the sacrifice which was not eaten up by the fire was the sign of its remaining unacceptable.

Now, the situation was that Hābīl was the owner of a flock of sheep and goats. He offered the sacrifice of a good spring lamb. Qābīl was a farmer. He offered some grains as his sacrifice. As customary with them, a fire did come from the sky and ate up the sacrifice offered by Hābīl - and the sacrifice offered by Qābīl remained lying where it was, untouched. Thereupon, hit by failure and disgrace, Qābīl was further enraged. Unable to restrain it, he told his brother openly: لَا تَتْلَنَّهُ (I will kill you).

Hābīl did not respond to his angry remark with counter anger on the spot. He rather said something which was peaceful and principled. It even had an element of sympathetic concern for him: إِنَّمَا يَتَقَبَّلُ اللَّهُ مِنَ الْمُتَّقِينَ (Allah accepts only from the God-fearing) that is, if you had been God-fearing, practicing *Taqwā* and piety, your sacrifice too would have been accepted. Since you did not do so, the sacrifice was not accepted. Why blame me for it?

Also mentioned within this statement is the cure for the envy (*ḥasad*) of the envier (*ḥāsīd*), that is, when the envier sees that Allah Ta'ālā has given someone a particular blessing which has not been given to him, then, he should take his deprivation as a result of his own

practical shortcomings and sins and think of repenting from them and correcting his or her behaviour - not that one starts wishing and worrying about ways through which the other person could be made to lose the blessing he has - because this would not bring him any gain, in fact, it will become the cause of some loss to him, for acceptability with Allah depends on *Taqwā* (fear of Allah). (Maḥzarī)

Acceptability of Deeds Depends on *Ikhlāṣ* (Sincerity) and *Taqwā* (Fear of Allah)

There appears in this dialogue between Ḥabīl and Qābīl a sentence which has the status of an important principle: The acceptability of one's deeds and acts of worship depends on *Taqwā*. The deed of a person who has no *Taqwā* in him is not accepted. For this reason, the learned among the righteous elders (*salaf*) have said that this verse is a shot in the arms of those who are devoted to acts of worship and do deeds in the hope of finding the pleasure of Allah. And this was the reason why Sayyidnā 'Āmir ibn 'Abdullāh was crying at the time of his death. People around him asked: 'As for you, you have been busy doing your *'Ibādāt* (acts of worship) and good deeds throughout your life, why, then, would you weep?' He said, 'You are saying this and ringing in my ears is this saying of Allah Ta'ālā: *إِنَّمَا يَقْبَلُ اللَّهُ مِنَ التَّقِيْنَ* (Allah accepts only from the God-fearing). I just do not know if any *'Ibādah* of mine will be accepted, or not.'

Sayyidnā 'Abdullāh ibn Mas'ūd رضى الله عنه said: 'If I become certain that Allah Ta'ālā has accepted some deed of mine, then, I would not surrender this blessing even if the whole world were to turn into solid gold and pass into my possession, in fact, I would take it to be nothing as compared to that blessing.'

Similarly, said Sayyidnā Abū Ad-Dardā' رضى الله عنه: 'If it stands settled that one *Ṣalāh* of mine has found acceptance with Allah Ta'ālā, then, that is far more than a whole world-full of blessings for me.'

Sayyidnā 'Umar ibn 'Abd al-'Azīz, may Allah be pleased with him, gave the following good counsel to a person in a letter he wrote to him.

"I tell you to hold on to *Taqwā* without which no deed is accepted; and mercy is not shown to anyone except those who observe *Taqwā*; and without it there is no Divine reward on anything. There are many who preach it but there are very few who practice it."

And Sayyidnā 'Alī al-Murtadā رضى الله عنه said: 'Even the smallest deed done with Taqwā is not small. And how a deed which has been accepted can be called small? (Ibn Kathīr)

Verses 33 - 34

إِنَّمَا جَزَاءُ الَّذِينَ يُحَارِبُونَ اللَّهَ وَرَسُولَهُ وَيَسْعَوْنَ فِي الْأَرْضِ فَسَادًا أَنْ يُقَتَّلُوا أَوْ يُصَلَّبُوا أَوْ تُقَطَّعَ أَيْدِيهِمْ وَأَرْجُلُهُمْ مِّنْ خِلَافٍ أَوْ يُنْفَوْا مِنَ الْأَرْضِ ۚ ذَٰلِكَ لَهُمْ خِزْيٌ فِي الدُّنْيَا وَلَهُمْ فِي الْآخِرَةِ عَذَابٌ عَظِيمٌ ﴿٣٣﴾ إِلَّا الَّذِينَ تَابُوا مِن قَبْلِ أَنْ تَقْدَرُوا عَلَيْهِمْ ۖ فَأَعْلَمُوا أَنَّ اللَّهَ غَفُورٌ رَّحِيمٌ ﴿٣٤﴾

Those who fight against Allah and His Messenger and run about trying to spread disorder in the earth, their punishment is nothing but that they shall be killed off or be crucified or their hands and legs be cut apart from different sides or they be kept away from the land (they live in). That is a humiliation for them in this world, and for them in the Hereafter there is a great punishment; [33] except those who repent before you overpower them. Then, be sure that Allah is Most-Forgiving, Very-Merciful. [34]

Commentary

Qur'ānic Laws are Unique and Revolutionary

Mentioned in the previous verses (27-32) was the event of the killing of Hābil (Abel) and its gravity as a crime. In the verses cited above, and in verses which follow, there is a description of the legal punishments for killing, plundering, robbery and theft. Prompted in between the description of the punishments for robbery and theft is the need to fear Allah and the desirability of seeking nearness to Him through acts of obedience. This approach of the Qur'ān, acting in a very subtle manner, prepares the human mind to accept the desired revolutionary change in thinking. The reason is that the Holy Qur'ān, unlike the penal codes of the world, does not stop at a simple codification of crime and punishment. Instead of doing that, it combines with each crime and its punishment the ultimate fear of Allah and the Hereafter making the later almost present before him whereby it would turn the human orientation towards a state of being the very thought of which

leaves a person all cleansed from every defect and sin. An impartial view of things as they are around us will prove that, without the motivating factors of the fear of Allah and the apprehension of the Hereafter, no law or police or army of this world can guarantee that crimes can be eradicated from human societies. It is this wise and affectionate approach of the Holy Qur'ān which ushered a revolution in the world when it created a society of human beings who, in their Godliness, were ahead of even angels.

The Three Kinds of Islamic Legal Punishments

Before we proceed with the details of the Islamic legal punishments for robbery and theft mentioned in the verses cited above and present our explanations of the particular verses, it seems appropriate to clarify the Islamic legal terminology concerning these punishments - a lack of familiarity with which causes even educated people to fall in doubts. Under all common laws of the world, punishments for crimes are considered penalties in an absolute sense, irrespective of the crime concerned. Law books like the Indian Penal Code, Pakistan Penal Code and some others in other countries are comprised of all sorts of crimes and their punishments. But, in the Shari'ah of Islam, things work differently. Here, the punishments of crimes have been divided into three kinds. These are: Ḥudūd (Islamic legal punishment delimited as Divine Statute; plural of Ḥadd), Qiṣāṣ (Even Retaliation) and Ta'zīrāt (Penalties; plural of Ta'zīr). Before we move on to define these three kinds and explain their sense, it will be useful to bear two things in mind.

Firstly, it is necessary to know that crimes which bring harm or loss to a human being inflict injustice not only on the created but also cause disobedience to the Creator. Therefore, in every crime of this nature, the Right of Allah (*Ḥaqqullāh*) and the Right of the Servant of Allah (*Ḥaqqul-'Abd*) are intermingled, and one becomes guilty of both crimes. But, in some crimes, the status of the Right of the Servant of Allah is more important while, in some others, the status of the Right of Allah is more prominent. As for the *modus operandi* in religious injunctions, it rests on this status of predominance.

Secondly, it is also necessary to know that the Shari'ah of Islam has not determined any yardstick for crimes other than those which

are special. Instead, it has left it to the discretion of the Qāḍī (the Judge of an Islamic Court) who could award and enforce the kind and amount of punishment deemed necessary to plug out the incidence of crime keeping in view the objective conditions prevailing in whatever time, place and circumstance it may be. It is also possible that the Islamic state of any time and any place māy, with due consideration of Islamic legal percepts, restrict the rights of the Qāḍīs in some manner and make them abide by a particular measure of punishment for crimes - as has been the practice in the later centuries of Islam, and as it nearly is the prevailing practice in most countries.

Let us now understand that crimes for which the Qur'ān and Sunnah have not fixed any punishment, instead, have left it to the discretion of the relevant authorities, are the kind of punishments which are called "Ta'zīrāt" (penalties) in the terminology of the Shari'ah of Islam. As for the punishments of crimes already fixed by the Qur'ān and Sunnah, they are divided over two kinds. Firstly, those in which the Right of Allah has been declared to be predominant and the punishment for which is known as "Ḥadd," the plural of which is "Ḥudūd." Secondly, those in which the Right of the Servant of Allah has been accepted as predominant in accordance with the Shari'ah of Islam and the punishment for which is called the "Qīṣāṣ" (Even Retaliation). As for the description of Ḥudūd and Qīṣāṣ, the Holy Qur'ān has itself explained it in full details. The details of the remaining penal offences have been left to the judgement of the Holy Prophet صلى الله عليه وسلم and to the discretion of the relevant ruling authority of the time.

In short, we can say that the punishment of crimes which the Holy Qur'ān has promulgated after having determined it to be the Right of Allah is called the "Ḥudūd," and that which it has ordained as the Right of the Servant of Allah is known as "Qīṣāṣ," and crimes the punishment of which has not been determined by it are called, "Ta'zīr." The injunctions of these three kinds differ in many respects. Those who take the punishment of every crime as "Ta'zīr" on the basis of their own customary usage - and do not keep the difference of Islamic legal terminology in sight - make frequent errors of judgement in understanding Islamic legal injunctions.

As for the punishment of penal offences (Ta'zīr), they can be made

the lightest, the heaviest, or could even be pardoned, all depending on attending circumstances. Here, the powers and options of the relevant authorities are wide. But, when it comes to Ḥudūd, no Amir or government or ruler or head of state is permitted to make the least change, alteration, reduction or increase in it. Neither does a change in time and place affect it in any manner nor does the Amir or chief executive of the government have the right to waive or pardon it.

There are only five "Ḥudūd" in the Sharī'ah of Islam. These are the punishments for (1) Robbery, (2) Theft, (3) Adultery, (4) False Accusation of Adultery. These punishments have been mentioned in the Holy Qur'ān clearly and categorically (*Manṣūṣ*). The fifth Ḥadd is that of drinking wine which stands proved on the basis of a consensus (Ijmā') of the noble Companions of the Holy Prophet ﷺ. Thus, the punishments of a total of five crimes stand fixed here. These are called the "Ḥudūd." The way no Amīr or ruler can reduce or pardon these punishments, very similarly, even an act of repentance cannot bring about an amnesty for the criminal as far as the punishment due in this mortal world is concerned. Of course, the sin bound to bring punishment in the Hereafter does get to be forgiven through sincere repentance leaving at least that account in the clear. Out of these, there is only one punishment, that of robbery, in which there is an exception, that is, if the robber repents before being arrested and his conduct in dealings proves his repentance to be satisfactory, only then, this "Ḥadd" will stand dropped. Repentance after arrest is not valid with regard to the worldly punishment. Other than this, the remaining Ḥudūd do not get to be forgiven in this world even by repentance - whether this repentance comes before the arrest or after it. In matters relating to penal offences (Ta'zīrāt) recommendations could be heard as warranted by a relevant right. In the Ḥudūd of Allah (punishment under Divine right) even the making of a recommendation is not permissible, and equally impermissible is its hearing too. The Holy Prophet ﷺ has prohibited it strictly. The punishments under Ḥudūd are generally strict. The law of their enforcement is also strict as nobody has been permitted to make any additions or subtractions in them under any circumstances, nor can they be waived or forgiven by anyone. Along with this strict stance maintained in punishment and law, when it comes to some moderation of matters, equally stringent conditions have been imposed

regarding the completion of the crime as well as the completion of the proof of the crime. Should even a single condition out of these be found missing, the Hadd stands dropped. In fact, even the least doubt found in the proof will cause the Hadd to be dropped. In this matter, the established law of Islam is: *أَلْحَدُّ يُدْرِكُ تَنْدَرُهُ بِالشُّبُهَاتِ* that is, Hudūd are dropped in case of doubt.

At this point, let us also understand that in cases where the Islamic legal punishment (Hadd) is dropped because of a doubt or absence of some condition, it is not necessary that the criminal would go scot-free only to become more daring in later crimes. Instead of that, the relevant ruler would award the penal punishment to him as due in his case. The penal punishments (Ta'zīrāt) of the Shari'ah are generally physical which, being lesson-oriented, have a complete system of blocking and eradicating crimes. Suppose, only three witnesses were found to attest to the proof of adultery (Zinā), and the witnesses are upright and trustworthy about whom the doubt that they would lie cannot be entertained. But, according to the Islamic legal norm, the Islamic legal punishment will not be enforced against the offender because of the absence of the fourth witness. However, it does not mean that the offender will be allowed to walk out free of any obligation, lesson or penalty. The ruler of the time would, rather, award an appropriate penal punishment to him which would be in the form of lashes. Or, take the example of the punishment for theft. If there remains any shortfall or doubt in conditions fixed as the required proof of theft, the Islamic legal Hadd punishment of cutting hands cannot be enforced on the accused. This does not mean that the accused goes all untouched and free. On the contrary, other penal punishments will be given to him as warranted in his case.

The Punishment of Qiṣāṣ (Even Retaliation)

Like Hudūd, the punishment of Qiṣāṣ has also been fixed in the Qur'ān, that is, life be taken for life and wounds be retaliated by even wounds. But, the difference is that Hudūd have been enforced as the Right of Allah (*Huqūqullāh*). It means that should the holder of the right elect to forgive the offence, it will not be forgiven, and the Hadd will not be dropped. For example, should the person whose property has been stolen were to forgive the thief, the Islamic prescribed pun-

ishment for theft will not stand forgiven on that count. This is contrary to the case of Qīṣāṣ where the Qur'ān and Sunnah have declared the status of the Right of the Servant of Allah (*Ḥaqqul-'Abd*) as predominant. This is why the accused killer, after the crime of killing has been proved legally, is handed over to the guardian (*Walī*) of the person killed who can, at his discretion, take Qīṣāṣ and have him killed, or forgive him, if he so wishes. Similar to this is the case of Qīṣāṣ in cases of wounds.

You already know that Ḥudūd and Qīṣāṣ when dropped do not let the criminal go unscathed, the ruler of the time having the power and discretion to award the amount and kind of penal punishment (*Ta'zīr*) considered appropriate. Therefore, it should not be doubted that, in the event the criminal charged with homicide were to be set free after having been forgiven by the guardian of the person killed, killers would be encouraged and cases of homicide would become common. This doubt is unfounded because taking the life of the person who had killed was the right of the guardian of the person who was killed - and he surrendered it by forgiving. But, providing the security of life for other people is the right of the government. It can, to protect this right, sentence the killer for life or give him some other punishments in order to offset the danger posed by such a person to the lives of other people.

The Explanation of Āyāt and Details of Ḥudūd

Upto this point, we have dealt with necessary information about the terminology of Islamic Legal Punishments of Ḥudūd, Qīṣāṣ and Ta'zīrāt. We can now move to the explanation of verses which carry injunctions about them and which would also include a detailed discussion of Ḥudūd. The first verse (33) begins by stating the punishment of those who fight against Allah and His Messenger and go about spreading disorder in the earth. For the sake of clarity, let us consider two things at this stage.

1. What does 'fighting' (*Muḥārabah*) against Allah and His Messenger and spreading disorder in the earth mean, and to whom does this apply? The word, *Muḥārabah* is derived from *Ḥarb* and intrinsically means to wrest or snatch away. In Arabic usage, it is used against *Salm* which means peace and security. Thus, we can see that the

sense of Ḥarb (fight) is the spreading of disorder. It is obvious that rare incidents of theft or killing and plundering do not cause public peace to be disturbed. In fact, this happens only when a powerful and organized group stands up to carry out acts of robbery, killing and plundering. Therefore, according to Muslim jurists, the punishment contemplated in this verse is meant for a group or an individual who robs people and breaks the law of the land by the force of arms. This will not include those who indulge in common individual crimes such as thieves and pick-pockets. (Tafsīr Mazharī)

2. The second point worth noticing in this verse is that 'Muharabah' (fighting) of the criminals is said to be against Allah and His Messenger, though the confrontation or fighting waged by robbers and rebels is apparently against human beings. The reason is that a powerful group when it elects to break the Law given by Allah and His blessed Messenger with force, it is really at war with the government, even though they are obviously carrying out their aggression against common human beings. But, when the government itself is Islamic, a government which subscribes to and enforces the Law of Allah and His Messenger, this act of 'fighting' (Muḥārabah) will invariably be regarded as being 'against' Allah and His Messenger.

In short, the punishment mentioned in the first verse (33) applies to robbers and rebels who ruin public peace by attacking with armed group force and break the law of the land openly. As obvious, this could appear in many forms. So, everything from aggression against property and honour to killing and bloodshed is included within its sense. It is from here that we find out the difference between *Muqātalah* and *Muḥārabah*. *Muqātalah* refers to a bloody fight, though with actual killing or without, and though property is also looted as an adjunct. The word, *Muḥārabah* is used in the sense of spreading disorder by employing force and causing the destruction of public peace and safety. Therefore, this word is particularly used to denote high-handed and group-led intrusion into anything relating to the life, property and honour of people which is called highway looting, robbery and rebellion.

The punishment for this crime has been fixed by the Holy Qur'ān itself when it enforced it as the Right of Allah which, in a manner of

*saying, was a crime against the ultimate authority. In the terminology of the Shari'ah, it is called the Hadd. Let us now find out the Islamic prescribed punishment for dacoity and highway robbery. In the present verse (33), four punishments for highway robbery have been mentioned: *أَنْ يُقْتَلُوا أَوْ يُصَلَّبُوا أَوْ تُنَقَّعَ أَيْدِيهِمْ وَأَرْجُلُهُمْ مِمَّنْ خِلَافٍ أَوْ يُنْفَوْا مِنَ الْأَرْضِ* : That they shall be killed off or be crucified or their hands and legs be cut apart from different sides or they be kept away from the land (they live in).

In the first three punishments, the words used belong to a particular form of verb called "Bāb a'-Tafīl" which are emphatic and denote repetition and intensity of the respective acts. The added use of the plural form gives the hint that their being killed or crucified or amputated is not like common punishments where punishment is given only to one individual who has provenly committed a crime. The situation here is rather different when the whole group of robbers will be awarded the punishment by being killed or crucified or amputated, even though the actual crime was committed only by one single individual of the group. Another hint given here indicates that this killing, crucifixion and amputation is not in the form of Qisās which could stand pardoned after having been forgiven by the guardians of the person killed. Instead, this Islamic Legal Punishment (Hadd) has been enforced as the Right of Allah (Ḥaqqullāh) and the punishment will not be pardoned legally even if the people who have suffered were to forego and forgive. These two rulings were arrived at by the text's choice of the particular grammatical form (*Bābut-Tafīl*) of the first three words of the verse. (Tafsīr Mazharī and others)

These four punishments for highway robbery have been introduced by using the word: *أَوْ* : 'Aw,' which is also employed to give choice in a few things and for a division in allotment of jobs too. Therefore, a group of Ṣaḥābah, Ṭābi'īn and jurists of the Muslim Ummah, by taking the word, 'Aw,' in the sense of choice, has taken the position that the Imām or Amīr or the ruler has been legally given the choice to award all four punishments, or any one of them as suitable in their cases, of course, after an assessment of the power and terror of the robbers and the gravity or negligibility of their crimes. This is the view held by Sayyidnā Sa'īd ibn al-Musaiyyib, Sayyidnā 'Atā', Dāwūd, Ḥasan al-Basrī, Ḍaḥḥāk, Nakh'ī and Mujāhid as well as that of Imām Mālik

from among the Four Imāms. On the other hand, Imām Abū Ḥanīfah, Imām Shāfi'ī, Imām Aḥmad ibn Ḥanbal and a group of Ṣaḥābah and Ṭābi'īn have taken the word, 'Aw' in the sense of division of work. Thus, according to them, the sense of the verse is that there are different punishments which can be applied to various conditions of highway robbers and highway robberies. This position is also supported by a *ḥadīth* where, based on a narration from Sayyidnā Ibn 'Abbās رضي الله عنه, it has been reported that the Holy Prophet ﷺ had entered into a peace treaty with Abū Burdah Aslami. He broke the treaty when he robbed some people going to Madīnah to embrace Islam. Pursuant to this episode, Sayyidnā Jibra'īl came with an injunction for punishment. The injunction stipulated that whoever killed, and looted property as well, should be crucified; and whoever killed, but did not loot, should be killed; and whoever looted, but did not kill anyone, should have his hands and legs cut apart from different sides; and whoever from them embraces Islam should have his crime pardoned; and whoever did not kill or plunder but restricted himself to scaring people, which caused a breach of public peace, should be exiled. If these people have killed a Muslim or non-Muslim citizen of Dār al-Islām - but, did not loot property - their punishment is : *أَوْ يُتَكَلَّمُونَ* that is, all of them should be killed, even though the act of killing was directly carried out by some of them only. And if they killed and looted both, their punishment is : *يُصَلَّبُونَ* that is, they should be crucified. The form it should take is that they be hanged alive, then their stomach be slit with a spear or something else. And if they have participated in looting only and have not killed anyone, their punishment is : *أَوْ تُنَقَّعَ أَيْدِيهِمْ* *أَوْ أَرْجُلُهُمْ مِنْ خِلَافٍ* that is, their right hands be cut apart from the wrists and their left legs from the ankles. Here too, though this act of looting may have been performed directly only by some of them, yet the punishment will remain just the same for all of them, because whatever the doers of the act did, they did it with their trust in the cooperation and assistance of their accomplices, therefore, all of them are partners in the crime. And if they had yet to commit the crime of killing or plundering while they were arrested beforehand, their punishment is : *أَوْ يُنْفَوْا مِنَ الْأَرْضِ* that is, they be kept away from the land they live in.

The sense of 'keeping away' or turning out from the land, according to a group of Muslim jurists, is that they should be turned out from

Dār al-Islām. Some others say that they should be turned out from the place where they have committed the crime of robbery. In cases like this, Sayyidnā 'Umar al-Fārūq رضى الله عنه gave the verdict that should the criminal be turned out from one place and left to roam free in other cities, he was bound to harass the people there. Therefore, let a criminal like this be locked in a prison. This will become his 'keeping away' or turning out from the land for he cannot go and walk anywhere. Imām Abū Ḥanīfah has adopted this very view.

As for the question that armed attacks of this kind these days are no more restricted to looting of property or killing and bloodshed alone for there are frequent instances of raping and kidnapping women as well. So, if the statement of the Qur'an : وَيَسْعَوْنَ فِي الْأَرْضِ فَسَادًا (and run about trying to spread disorder in the earth) were to be taken as inclusive of such crimes, what punishment would they deserve? Here, apparently the Imām or Amīr or the ruler will have the option of enforcing whichever of the four punishments he deems fit in their case; and in the event that he does find the necessary proof of adultery as admitted by the Shari'ah of Islam, he would enforce the Ḥadd punishment for *Zinā* (adultery) as well.

Similarly, if the position is that no one was killed, no property was looted, but, some people did receive wounds at their hands, then, they would be subjected to the law of Qisās (Even Retaliation) against the inflicting of wounds. (Tafsīr Maḥzarī)

Towards the end of the verse (33), it was said: ذَٰلِكَ لَهُمْ جَزَاءُ فِي الدُّنْيَا وَلَهُمْ فِي الْأٰخِرَةِ عَذَابٌ عَظِيمٌ that is, the Islamic Legal Punishment to which they have been subjected here is humiliation for them in this world and certainly a token of punishment. As for the punishment of the *Ākhirah*, that is much harsher and more lasting. This tells us that the punishments of Ḥudūd, Qisās or Ta'zīrat in this mortal world do not lead on to the forgiveness of punishments due in the *Ākhirah* unless the person sentenced repents and makes a genuine *Taubah*, following which he could hope to have the punishment of *Ākhirah* forgiven.

In the second verse (34) : إِلَّا الَّذِينَ تَابُوا مِنْ قَبْلِ أَنْ تَقْرَبُوا عَلَيْهِمْ (... except those who repent before you overpower them), an exception has been mentioned. The exception is that should the robbers and rebels were to repent - before they are surrounded and overpowered by government

forces, and are in a state when their position of strength is still operative - and decide on their own to abandon their practice of highway robbery, then, this Prescribed Punishment will stand dropped in their case. This exception is different from the general Law of Ḥudūd because in other crimes such as theft and adultery, if the criminal, after he has committed the crime and has been indicted by a Qāḍī court as guilty, were to prove that he had repented genuinely, then, though the punishment of the Hereafter (Ākhirah) would stand forgiven by virtue of this repentance, yet the Islamic Prescribed Punishment (حد شرعى) will not be forgiven in this mortal world - as it will be explained later, after some verses, under the punishment for theft.

The wisdom behind this exception is that, on the one hand, such severity has been maintained in the punishment of robbers that for the commitment of the crime - even if by one person out of a whole group - punishment is given to the whole group. Therefore, on the other hand, things have been made softer and lighter through this exception, that is, let them repent if they would, in which case, the punishment of the mortal world would also be forgiven. In addition to that, there is a strategic advantage here in this provision, that is, it is not always easy to control or overpower a powerful group, therefore, the door of persuasion has been left open for them so that they are induced to repent.

Yet another expedient consideration in this matter is that killing a person is an extreme punishment. Here, the drift of the Islamic Law is that it should happen as rarely as possible while, in a case of robbery, the killing of a whole group becomes necessary, therefore, the effort to reform them too, through persuasion, was continued simultaneously. The kind of effect it produced was that 'Alī Asadī who robbed passersby on the outskirts of Madīnah with the help of his group happened to hear one of those days the following verse of the Holy Qur'ān being recited by a Qārī in the caravan (under attack) : **يُوبَادَى الَّذِينَ أَشْرَفُوا عَلَىٰ أَنْفُسِهِمْ لَا تَقْنَطُوا مِن رَّحْمَةِ اللَّهِ** (O My servants who have committed excesses against their own selves, do not lose hope in the mercy of Allah - Zumar, 39-53). When he looked for the Qārī and found him, he asked him to recite the verse once again. When he had heard the verse the second time, he put his sword back into the sheath, repented from robbery

and reached Madīnah. At that time, Marwān ibn al-Ḥakam was the chief executive of Madīnah. The well-known Ṣahābī, Sayyidnā Abū Hurairah رضى الله عنه held 'Alī Asadī by the hand and took him to the Amīr of Madīnah. Before him, he recited this verse of the Qur'ān and said: You cannot give him any punishment.

The government was already helpless against their robbery and the disorder generated by it. Everyone was pleased with the outcome.

An event similar to this happened when Ḥāritha ibn Badr rebelled, left the city and took to the practice of killing and plundering. But, Al-mighty Allah gave him the Taufīq (ability) later on when he repented and returned to Madīnah. Then, Sayyidnā 'Alī رضى الله عنه did not subject him to the ordained legal punishment (حد شرعى).

At this point, it is worth remembering that the waiver in the Islamic Legal Punishment (حد شرعى) does not make it necessary that the Rights of the Servants of Allah the criminal has trampled upon will also be forgiven. On the contrary, the fact of the matter is that anything valuable taken from anyone, which is still available, must be returned back. And if someone was killed or wounded, one is duty-bound to go through the consequences as stipulated under the Law of Qiṣāṣ (Even Retaliation). However, since Qiṣāṣ is the Right of the Servant of Allah, it could be forgiven if forgiven by the guardians of the person killed or by the person who holds that Right. Other than that, if someone has hurt someone else financially, it is necessary to vacate the liability (Ḍamān), or have it forgiven by the person concerned. This is the favoured position of Imām Abū Ḥanīfah and that of the majority of the jurists of Islam. A little reflection would show that this is a fairly obvious matter as the act of seeking deliverance from any infringement of the Rights of the Servants of Allah is a part of the act of *Taubah* (repentance) itself. *Taubah* without it remains just incomplete. Therefore, a robber or dacoit will be taken as genuinely repentant only when he pays for whatever Rights of the Servants of Allah he has infringed upon, or has it forgiven by them.

Verses 35 - 40

يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَابْتَغُوا إِلَيْهِ الْوَسِيلَةَ وَ

جَاهِدُوا فِي سَبِيلِهِ لَعَلَّكُمْ تُفْلِحُونَ ﴿٣٥﴾ إِنَّ الَّذِينَ كَفَرُوا لَوْ
 أَنَّ لَهُمْ مَا فِي الْأَرْضِ جَمِيعًا وَمِثْلَهُ مَعَهُ لَيَفْتَدُوا بِهِ مِنْ
 عَذَابِ يَوْمِ الْقِيَمَةِ مَا تُقْبَلُ مِنْهُمْ ۖ وَلَهُمْ عَذَابٌ أَلِيمٌ ﴿٣٦﴾
 يُرِيدُونَ أَنْ يُخْرَجُوا مِنَ النَّارِ وَمَاهُمْ بِخُرُجِينَ مِنْهَا ۖ وَلَهُمْ
 عَذَابٌ مُّقِيمٌ ﴿٣٧﴾ وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا
 جَزَاءً بِمَا كَسَبَانِكَالًا مِنَ اللَّهِ وَاللَّهُ عَزِيزٌ حَكِيمٌ ﴿٣٨﴾ فَمَنْ
 تَابَ مِنْ بَعْدِ ظُلْمِهِ وَأَصْلَحَ فَإِنَّ اللَّهَ يَتُوبُ عَلَيْهِ ۖ إِنَّ اللَّهَ
 غَفُورٌ رَحِيمٌ ﴿٣٩﴾ أَلَمْ تَعْلَمْ أَنَّ اللَّهَ لَهُ مُلْكُ السَّمَوَاتِ
 وَالْأَرْضِ ۖ يُعَذِّبُ مَنْ يَشَاءُ وَيُغْفِرُ لِمَنْ يَشَاءُ ۖ وَاللَّهُ عَلَى كُلِّ
 شَيْءٍ قَدِيرٌ ﴿٤٠﴾

O those who believe, fear Allah and seek the *wasīlah* of nearness to Him, and carry out Jihād in His way so that you may succeed. [35] Surely, those who disbelieve are such that if they have all that there is in the earth, and more as much besides it, to pay it as ransom against the punishment of the Doomsday, it shall not be accepted from them. And for them there is a painful punishment. [36] They will wish to come out of the Fire, but they are not to come out from there. And for them there is a lasting punishment. [37]

As for a man or woman who commits theft, cut off the hands of both to recompense them for what they earned, a deterrent from Allah. And Allah is Mighty, Wise. [38] And whoever repents after his transgression and corrects himself, then Allah shall relent towards him. Surely, Allah is Most-Forgiving, Very-Merciful. [39]

Do you not know that to Allah alone belongs the kingdom of the heavens and the earth? He punishes whomsoever He wills and forgives whomsoever He wills. And Allah is powerful over everything. [40]

Commentary

In verses previous to those cited above, the Islamic Prescribed Punishment of robbery and rebellion, as well as the details of injunctions relating to them, were mentioned while the Prescribed Punishment for theft is coming up after three verses later. The three verses which appear in between talk about Taqwā (the fear of Allah), obedience to and the worship of Allah, inducement to Jihād (fighting or struggling in the way of Allah) as well as the ruinous effects of disbelief, rejection, obstinacy and disobedience. A deeper look into this particular style of the Qur'an would reveal that its oft-recurring approach is not simply to state the letter of the law of penalty and punishment as some cold and coercive command from the law giver and just leave it at that, instead, by taking the approach of an affectionate nourisher and nurturer, it also smooths out the edges of the human mind to prepare it for its ultimate abstention from crimes. And when it awakens the human minds to the awaiting realities of the fear of Allah and the Ākhirah (Hereafter) and when it makes the everlasting blessing and bliss of Paradise appear almost in sight, it goes on to change hearts replacing their chronic taste for crime with instant distaste. This is the reason why words similar to: اِتَّقُوا اللَّهَ (fear Allah) are repeated after stated laws of crime and punishment. Here too, three things have been commanded:

1. The first one is : اِتَّقُوا اللَّهَ that is, 'fear Allah', for it is the fear of Allah alone which can really stop human beings from committing crimes openly and secretly.

2. The second one is : وَابْتَغُوا إِلَيْهِ الْوَسِيلَةَ that is, 'seek the nearness of Allah.' The word, "وسيله" : *wasīlah*, left untranslated, is a derivation from the verbal noun, '*waslun*', which means to make effort to become close to someone. This word, whether spelt with the letter, *sīn* (سين : وسيله, or *ṣād* (صاد : وصيله), is used almost in the same sense. The only difference is that *waslun* spelt with the letter, *Ṣād* (صاد) refers to becoming close in the absolute sense, while, *waslun* spelt with the letter, *sīn*, is used to denote seeking to gain nearness with longing and love. Related details appear in the *Ṣiḥāh* of Jauharī and in the *Mufradāt* of Rāghib al-Iṣfahānī. So, *wuṣlah* (وصله) or *waṣīlah* (وصيله) spelt with the letter, *Ṣād*, refer to something which brings about nearness or conjunction be-

tween two things, whether that nearness comes to be through longing and love, or in some other form. As for the word, *wasīlah* (وسيله) spelt with the letter, *sīn*, it means that which brings someone closer to someone else through liking and love. (Lisān al-'Arab, Mufradāt al-Qur'ān)

The act of seeking to gain access to Allah - that is, '*wasīlah*' to Allah, to be precise - is anything which brings a servant of Allah nearer to his or her sole object of worship with all longing and love. Therefore, the righteous elders, the Ṣaḥābah and Tābi'īn have explained the word, '*wasīlah*', to mean obedience, nearness, faith and righteous conduct. Sayyidnā Ḥudhayfah, as reported by Ḥākim, said : '*Wasīlah*' means nearness and obedience, and Ibn Jarīr has reported the same on the authority of 'Atā', Mujāhid and Ḥasan al-Baṣri, may the mercy of Allah be upon them all.

Also, Ibn Jarīr and others have reported from Qatādah a Tafsīr of this verse which is : تَقَرَّبُوا إِلَى اللَّهِ بِطَاعَتِهِ وَالْعَمَلِ بِمَا يُرِيدُ . It means : Seek nearness to Him by obedience to Him and by doing deeds which please Him. Therefore, the gist of the explanation of this verse is that one should seek the nearness of Allah through 'Imān (faith) and 'A'māl (good deeds).

Appearing in the Musnad of Aḥmad, there is a sound (Ṣaḥīḥ) ḥadīth in which the Holy Prophet صلى الله عليه وسلم has been reported to have said: '*Wasīlah*' is a high rank of Paradise, above which there is no rank. You pray to Almighty Allah that He gives me that rank.

Again, in a narration from Ṣaḥīḥ Muslim, the Holy Prophet ﷺ has been reported to have said: When the Mu'adhdhin (مؤذن : Muezzin) calls the Adhān, you keep saying what he says. Then, recite Durūd on me and pray that I be blessed with '*Wasīlah*'.

These *aḥādīth* tell us that '*Wasīlah*' is a special rank of *Jannah* (Paradise) which is identified particularly with the Holy Prophet ﷺ. As for the command to seek and find '*Wasīlah*' given to every believer, it seems to be, on the surface, contrary to this particularity. But, the answer is fairly clear that the way the highest station of guidance is special to the Holy Prophet صلى الله عليه وسلم who always prayed for it, but, its elementary and intermediary ranks of guidance are common and open to all Muslims - similarly, the high rank of '*Wasīlah*' is particular

to the Holy Prophet صلى الله عليه وسلم and all ranks after it are open and common to all believers through the linkage of their love for him.

In his Letters, the famous renovator of the second millennium of Islam in India, Mujaddid Alf-Thānī, and Qādī Thanā'ullāh of Pānīpat, in his Tafsīr Mazharī, have both warned that the sense of longing and love embedded in the word, '*Wasīlah*', clearly shows that advancement in the ranks of '*Wasīlah*' depends on the love for Almighty Allah and His Messenger - and love comes through the following of Sunnah, the words and deeds of the Holy Prophet صلى الله عليه وسلم. This is because Almighty Allah says: فَاتَّبِعُونِي يُحْبِبْكُمُ اللَّهُ (Say [O Prophet], "If you do love Allah, follow me; Allah shall love you ..." - 3:31). Therefore, the more particular one is in following the Sunnah of the Holy Prophet ﷺ in acts of worship, transactions, dealings, morals, social living, practically in all departments of life, the more beloved of Allah one shall be, and the more widening becomes the gyre of this love, the closer and nearer to Allah one shall be.

Now, after this lexical explanation of the word, '*Wasīlah*,' and the exegetical notes from the Ṣaḥābah and Ṭābi'īn, we do know how everything which becomes the means of achieving the pleasure and nearness of Allah is, for a human being, the '*Wasīlah*' of becoming close to Allah. As included in it are faith ('*Imān*') and good deeds (*al-a'māl al-sālih*), so included therein are the company and the love of prophets and righteous people as well, for that too is one of the causes of the pleasure of Allah - and so, praying to Allah Almighty by making them a '*Wasīlah*' should be correct, as was done by Sayyidnā 'Umar رضى الله عنه when he, at the time of a famine, making Sayyidnā 'Abbās a '*Wasīlah*,' made a prayer for rains before Almighty Allah. The prayer was answered.

It is reported that the Holy Prophet صلى الله عليه وسلم had himself taught a blind Ṣaḥābī to pray with the words which are as follows: اَللّٰهُمَّ : اِنِّىْ اَسْأَلُكَ وَارْتَوِجُهُ اِلَيْكَ بِسَبِيْلِكَ مُحَمَّدٍ نَّبِىِّ الرَّحْمَةِ (O Allah, I seek from You, and I ask for Your attention with (the '*Wasīlah*' of) Your Prophet, Muḥammad, the Prophet of Mercy. (Manār)

3. Before taking up the third command, that of Jihād, in this verse (35), it will be useful to recollect the first command, that of Taqwā, then the command to seek nearness to Allah through faith and good

deeds, and now in the end it was said: **وَجَاهِدُوا فِي سَبِيلِهِ** (and carry out Jihād in His way). Though Jihād was included under 'good deeds' yet it was to spell out the higher status of Jihād among 'good deeds' that Jihād was mentioned separately and distinctly - as confirmed by a saying of the Holy Prophet **صلى الله عليه وسلم** which is : **وَزُورَةُ مَكَايِمِ الْجِهَادِ** : that is, Jihād is the highest peak of Islam. Moreover, there is yet another element of wisdom why Jihād has been mentioned distinctly at this place. It will be recalled that the unlawfulness of spreading disorder on the earth, alongwith its worldly and other-wordly punishment, was mentioned in previous verses (32, 33). Since Jihād too, given a surface view of it (or, as those allergic to it would love to believe), appears to be some form of disorder on the earth (*al-fasād fī al-arḍ*), therefore, it was possible that someone ignorant could just fail to understand the difference between Jihād (fighting in the way of Allah) and *Fasād* (spreading disorder). To offset this possibility, the spreading of disorder on the earth was forbidden first and it was after that that the command of Jihād was mentioned distinctly and the difference between the two was pointed out by the addition of the words : **فِي سَبِيلِهِ** (in His way). This is because the killing and plundering of the property of people in robberies and rebellions is for the sole purpose of personal aggrandizement and other nefarious objectives while, should it ever come to happen in a Jihād, it will still be for the initial purpose of upraising the Word of Allah and eliminating oppression and tyranny. There is a world of difference between the two.

Moving on to the second (36) and the third (37) verses, one notices the manner in which the grave curse of Kufr (disbelief), Shirk (the associating of partners in the Divinity of Allah) and sin has been pointed out. It is so poignant that even a little reflection on it could bring an instant revolution in the lives of men and women of such persuasion compelling them to abandon all Kufr and Shirk and sin. To explain the curse of sinful living a little further, it can be said that sins in which one gets involved usually is because of personal desires and needs or for the desires and needs of family and children. Since their fulfillment comes through an increase in wealth and property, one goes after amassing wealth and property without making any distinction between what is Ḥalāl (lawful) and what is Ḥarām (unlawful) in it. In these verses, Almighty Allah has censured the acquisition mania

of such people which will prove to be futile in the ultimate analysis because its cure lies in realizing that things of comfort collected to satisfy a short lived span of life by working hard day and night still remain unattained. More and more stays to be the order of every other day in life. What begins must end and this race of gold and greed will also end when the punishment of the Doomsday will appear in sight and, at that time, if these people were to offer all they had collected in the mortal world, wealth and property, things and things of comfort, taste and value, offer all of it in return for their release from the punishment, then, this would not be possible anymore. Even if the wager is increased higher, suppose everything of value were to be owned by one person, nay, let us say twice as much, and if he were to offer all of it to have his release from the punishment, still then, nothing would be accepted from him and he will not have his deliverance from the punishment of the Hereafter. That this punishment would be everlasting for disbelievers has been made clear through the third verse (37).

The fourth verse (38) reverts to the subject of the punishment of crimes where the Islamic Legal Punishment of theft has been described. The punishment for theft belongs to the category of *Hudūd* which is one of the three kinds of Islamic Legal Punishments discussed earlier (under the Tafsīr of verses 33 and 34). Since the Holy Qur'ān has itself fixed this punishment, it has not been left at the discretion of the relevant authorities. The Holy Qur'ān has determined it as the Right of Allah (*Haqqullāh*), therefore, it is called the *Hadd* of *Sariqah* (The Islamic Legal Punishment of Theft). The words of the verse are:

وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جَزَاءً بِمَا كَسَبَا نَكَالًا مِّنَ اللَّهِ وَاللَّهُ
عَزِيزٌ حَكِيمٌ

As for a man or woman who commits theft, cut off the hands of both to recompense them for what they earned, a deterrent from Allah. And Allah is Mighty, Wise.

Noteworthy here is the fact that the address in Qur'ānic injunctions is generally to men wherein women are also understood as included consequentially. In *Salāh*, *Sawm*, *Hajj*, *Zakāh* and in all injunctions of the Shari'ah, this is the general operating principle of

Qur'ān and Sunnah. But, in the case of the punishment for theft and adultery, the text here does not limit itself to addressing men only, instead of which it addresses its command to both sexes mentioning them separately.

One reason for doing so is that this is a matter of Ḥudūd in which the least doubt could cause it to be dropped. Therefore, women were not left as implied under the address. They were, rather, mentioned explicitly.

Understanding the Islamic Law of *Sariqah* (Theft)

Something else we should find out at this stage is the very sense of the word, 'Sariqah' and its definition as determined in the Sharī'ah of Islam. According to Al-Qāmūs, the Arabic Lexicon, if anyone takes what belongs to someone else, from a secured place, without his or her permission, clandestinely, it is called "Sariqah." And this is its Islamic legal definition too. So, in the light of this definition, in order that Sariqah be proved, a few ingredients must exist:

1. BEING PRIVATELY- OWNED : The property concerned must have been owned privately by an individual or group. The stealer should own nothing in it, nor should there be any doubt of such ownership, nor should there be things in it in which the rights of common people are equal, such as, institutions of public welfare and their belongings. This tells us that should someone take something in which he or she has ownership rights, or there is a doubt of such ownership, or in which the rights of common people are equal, then, the Ḥadd of Sariqah, the Islamic Prescribed Punishment, will not be enforced against the stealer. However, the relevant authority of the time could enforce punitive punishment (Ta'zīr) at his discretion.

2. BEING SECURED : It means that the stolen property must be secured as in a locked house or under a security guard. Property not in a secured place, if picked up by someone, would also not render that person liable to be charged with the Ḥadd of Sariqah. However, should there be even a doubt in the property concerned being secure, even then, the Ḥadd of Sariqah will stand dropped. Considerations of sin and punitive punishment (Ta'zīr) are a separate matter.

3. BEING WITHOUT PERMISSION : If a person, who has been

given the permission to take or pick up and use the property concerned, chooses to take it away for good, the Hadd of Sariqah will not be imposed. And should there be even a doubt about the stealer having such permission, the Hadd will stand dropped.

4. TAKING CLANDESTINELY : This is because the looting of someone's property openly is no theft. It is robbery, the punishment for which has already been stated. The point is if it is not by stealth, the Hadd of Sariqah will not be imposed on the person concerned.

After having heard the details involved in all these conditions, you would have already realized that theft as known to us carries a general and wide sense. Every single person who indulges in it is not legally liable to the Hadd of Sariqah, that is, the punishment of cutting hands. Instead of that, this Prescribed Punishment shall be enforced against that particular form of theft in which all these ingredients have been found present.

Along with it, you also know that situations in which the Hadd for theft is dropped, it is not at all necessary that the criminal would go scot-free. In fact, the relevant authority of the time could award punitive punishment against him at his discretion, which could even be physical, as that of lashes.

In the same way, let it not be surmised that, in situations where the absence of some condition of Sariqah restrains the enforcement of the Hadd Punishment, the act itself would become legally permissible and lawful - because, as explained earlier, we are not talking about sin and the punishment of the Hereafter here. The concern here is that of the temporal punishment, and that too of a particular kind of punishment. Otherwise, the property of a person taken without his pleasure and permission, no matter how, shall remain Hāram (unlawful), causing punishment in the Hereafter - as clarified in the verse : لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ (And do not eat up each other's property by false means - 2:188).

Also worth noting here is the fact that the words used by the Qur'an in the matter of theft are the same as those used about the punishment of adultery. But, the difference is that, in the matter of theft, the mention of man appears first and that of woman follows,

while, in the case of adultery, the arrangement has been reversed where woman has been mentioned first. Thus, in the punishment of theft, it was said: **وَالسَّارِقُ وَالسَّارِقَةُ** (a man or a woman who commits theft - 5:38) while, in the punishment of adultery, it was said: **الرَّائِبَةُ وَالرَّائِبِي** (the woman and the man guilty of fornication - 24:2). Commentators have indicated many elements of wisdom in this reversal of word order, but the one that appeals most is that the crime of theft when committed by man as compared to that committed by a woman is more grave because Almighty Allah has blessed him with the kind of strength to earn his living which a woman does not have. Should a man who, despite that so many doors of earning his living are open to him, stoop so low as to commit the disgraceful crime of theft, really increases the gravity of his sin. And when it comes to the matter of adultery, Allah Almighty has blessed a woman with natural modesty and secured atmosphere which leaves no reason for her to fall into the lower levels of immodesty which would be a grave crime indeed. Therefore, in theft, the mention of man precedes while, in adultery, that of woman.

After stating the Hadd Punishment for theft in this verse (38), two sentences have been added. The first sentence is: **جَزَاءُهَا كَسْبُهَا** : (to recompense them for the evil deed they committed and the second sentence is: **نَكَالًا مِنَ اللَّهِ** (a deterrent from Allah). The later is composed of the words, '*Nakāl*' (a deterrent) and '*min Allah*' (from Allah). Lexically, the Arabic word, '*Nakāl*' means a punishment which is exemplary, something which teaches a lesson to others as well so that they too abandon any intentions of committing crimes. Therefore, a translation of this word in the idiom of any other language would have to have a sense of lesson and dissuasion both. The hint given here is that the stern punishment of cutting hands is based on a consideration which is special and wise. In simple words, it amounts to punishing one and chastening the rest so that this ugly crime is eradicated totally. Then, by adding '*min Allah*' (from Allah), a pointed reference has been made to yet another subject of importance, that is, there are two ways of looking at the crime of theft. Firstly, a person may take the property belonging to someone else without any right to do so which inflicts injustice on the later. Secondly, this person acted counter to the command of Allah. Keeping the first aspect in sight, this punishment is the right of the victim of injustice which requires that the punishment,

if pardoned by the holder of the right, will stand forgiven - and this is the customary practice in all cases of Qīṣāṣ (Even Retaliation). Now looking at it from the second aspect, this punishment is for having acted contrary to the command of Allah. It requires that this punishment will not be forgiven even if it were to be forgiven by the person who has been the victim of the theft - unless, of course, forgiven by Almighty Allah Himself. This is called Ḥadd or Ḥudūd in the terminology of the Shari'ah of Islam. So, by determining the second aspect through the addition of '*min Allah*' (from Allah), the hint given is that this punishment is Ḥadd - not Qīṣāṣ, that is, in a manner of saying, the punishment has been awarded for what constitutes a Crime against the State! Therefore, even if the person who is the victim of the theft were to forgive, the punishment would still not be dropped.

Finally, towards the end of the verse (38), by saying: **وَاللَّهُ عَزِيزٌ حَكِيمٌ** (And Allah is Mighty, Wise), answer has been given to the doubt so widely entertained these days, that is, this punishment is very harsh. Not resting at that, there are the loudmouthed and the uninformed among them who would not even fight shy of saying that this punishment is savage. Refuge with Allah! These words are there to point out that the introduction of this severe punishment is not only that it is an outcome of Allah's being Mighty and Powerful, but that it also based on His being Wise as well. The Islamic Legal Punishments which the modern highbrows of the West label as harsh and savage shall be taken up in details with comments on the wisdom behind them, their need and benefits, soon after we have completed the explanation of the present set of verses.

The next verse (39) says:

فَمَنْ تَابَ مِنْ بَعْدِ ظُلْمِهِ وَأَصْلَحَ فَإِنَّ اللَّهَ يَتُوبُ عَلَيْهِ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ

And whoever repents after his transgression and corrects himself, then Allah shall relent towards him. Surely, Allah is Most-Forgiving, Very-Merciful.

It will be recalled that forgiveness was also mentioned in connection with the Prescribed Punishment for robbery appearing a few verses earlier (34) - and forgiveness has been mentioned after the punishment

for theft as well. But, the statement of forgiveness at both places has a particular difference and it is on the basis of this difference that the sense of forgiveness in both punishments has been taken differently by Muslim jurists. While ordaining the punishment for robbery, giving an exception, Almighty Allah has said: إِلَّا الَّذِينَ تَابُوا مِنْ قَبْلِ أَنْ تَقْرَأَ عَلَيْهِمُ (except those who repent before you overpower them - 5:34) the outcome of which is that the Hadd Punishment for robbery mentioned in the verse provides an exemption whereby the one who repents - before robbers are overpowered and arrested by the government - shall have his Hadd Punishment forgiven. As for the forgiveness mentioned after the punishment for theft, it does not have the exemption from this temporal punishment. It is rather in terms of the Hereafter that this repentance shall be accepted towards which a clear indication exists in the words: فَإِنَّ اللَّهَ يَتُوبُ عَلَيْهِ (then Allah shall relent towards him). In other words, the relevant ruler of the time will not abandon the Hadd Punishment because of this repentance, instead of that, Almighty Allah will, by forgiving their crime, grant deliverance to them from the punishment of the Hereafter. Therefore, Muslim jurists almost unanimously agree that the Hadd Punishment for robbery shall not be enforced on robbers who repent before they are arrested. But, should a thief were to forsake and repent from stealing after having committed a theft - whether before or after arrest - then, the Hadd of Sariqah, the Islamic Legal Punishment, which is a temporal punishment, will not be forgiven. That the sin is forgiven and deliverance from the punishment of the Hereafter has been achieved is not contrary to this.

The later verse (40) says:

أَلَمْ تَعْلَمْ أَنَّ اللَّهَ لَهُ مُلْكُ السَّمَوَاتِ وَالْأَرْضِ يُعَذِّبُ مَنْ يَشَاءُ وَيَغْفِرُ لِمَنْ يَشَاءُ وَاللَّهُ عَلَى كُلِّ شَيْءٍ قَدِيرٌ

Do you know that to Allah alone belongs the kingdom of the heavens and the earth? He punishes whomsoever He wills and He forgives whomsoever He wills. And Allah is powerful over everything.

This verse is linked with and homogeneous to previous verses which feature stringent injunctions of the Islamic Legal Punishments for robbery and theft. A shallow look at these injunctions could give the false

impression of their being contradictory to human dignity. It is to remove this doubt that Almighty Allah has, in this verse, initially stated that He alone is the real Master of all the universe. Then, He says that He alone is the Absolute Power. In between, comes the statement that it is not only that He punishes. He forgives as well, and that forgiveness and punishment depend on His Wisdom, for the way He is the Absolute Master and the Absolute Power, so is He Absolutely Wise too. There is no human power which can gauge the extents of His mastery and domain so shall there be no human reason which can fully fathom the countless manifestations of His Wisdom - and that which it would pass on to human beings by virtue of pondering through principles is sufficient enough to put their hearts at peace.

What is Benign and What is Savage?

People in the West and those influenced by their education and culture commonly object that Islamic punishments are harsh. And as pointed out a little earlier, there are some heedless people who do not even hesitate to say that these punishments are savage and undignified.

Before we deal with this matter, it would be useful to keep what has been stated earlier in sight. We know that the Holy Qur'ān has itself determined and fixed the punishments for only four crimes which are called Ḥadd, in the terminology of the Islamic Shari'ah. The punishment of robbery is the cutting of the right hand and the left foot; the punishment of theft is the cutting of the right hand from the wrist; the punishment of adultery is one hundred lashes in some situations, and stoning to death in some others; the punishment of making a false accusation of adultery is eighty lashes. The fifth Islamic Prescribed Punishment (Ḥadd) is that of drinking which is eighty lashes as fixed under the consensus of the Ṣaḥābah of the Holy Prophet ﷺ. With the sole exception of these five crimes, the punishment of all other crimes has been left to the discretion of the ruler of the time so that the relevant judge may award the kind and amount of punishment with due consideration of the crime, the criminal and the circumstances. This is a matter in which it is also possible that some particular system designed to delimit and apportion punishments is established in consultation with those fit to guide and advise, and Qāḍīs or judges are

bound with it. This is what happens these days when penal laws are generally enacted through legislative assemblies, and Qāḍīs or judges award punishments within limits already identified. Although, in the five crimes the punishment for which has been fixed by the Qur'an, or through a consensus (*Ijmā'*), and in which no individual or party or assembly has any right of alteration or substitution, but, in them too, if the proof of the crime is not available through the Law of Evidence prescribed by the Shari'ah, or there be the proof of the crime but conditions under which this punishment is enforced may not be complete, and the fact of the crime stands proved in the sight of the Qāḍī or judge, still then, in that situation too, the Ḥadd Punishment (حد شرعى) will not be enforced, instead of which, the punishment given will be punitive (Ta'zīrī). Along with it, there is the standing rule of Islamic Law that the benefit of doubt goes to the person accused of a crime. A doubt about anything in the proof of the crime or the conditions of the crime causes the Ḥadd Punishment to be dropped. But, in the event that there be the necessary proof of crime available, the punishment given will be punitive (Ta'zīrī).

This tells us that there will be many more situations in which the Ḥadd Punishment will not be enforced and, in their place, punitive punishments will be awarded subject to the discretion of the ruler of the time. Since punitive punishments have not been predetermined by the Shari'ah, they can be changed or tailored to suit the needs of every time and every circumstance just like the general laws of the land. Therefore, at least, in this field, nobody has room for any objection. Now the 'debate' is reduced to the punishments of five crimes only, and that too, in their particular situations. For example, let us take theft and see that the punishment of cutting the hand has not been imposed by the Shari'ah on every theft, in an absolute sense - that is, theft as we know it in our common usage. This is no Sariqah. Sariqah, the crime which is punished by cutting the hand, has a peculiar definition of its own, details about which have appeared earlier (under the sub-heading: 'Understanding the Islamic Legal Punishment of Sariqah') and which can be briefly defined here as the taking out of someone's property from a secured place, by breaking the security arrangements, unlawfully and secretly. According to this definition, many forms recognized as common thefts stand eliminated from the standard defini-

tion of the Ḥadd of Sariqah. For instance, the condition of a secured place tells us that property stolen from commonly used public places such as Masjid, maṣallā of 'Īd (area earmarked for the large congregational prayers on the occasion of 'Idul-Fiṭr and 'Idul-Adḥā), Park, Club, Railroad Station, Waiting Room, Train, Airplane etc., or stealing fruits hanging on trees, or stealing honey will not cause the Ḥadd of Sariqah to be imposed against the thief, instead of that, punitive punishment will be given to the culprit as generally done in most countries. Similarly, take the example of a person you have allowed to enter your house - whether he is your servant or maid or a worker on wages or a builder on contract or a friend or relative - now should he take something away from your house, then, though he is included under the definition of common theft and is deserving of the punitive punishment for it, yet, the Islamic Legal Punishment of cutting the hand will not be enforced on him - because he entered the house with your permission and the arrangement of legal security is not complete as far as he is concerned.

Similarly, incidents like someone picked someone else's pocket, or snatched away cash or jewellery from someone's hand, or extracted something by fraud, or went back on his word when asked to return what he had agreed to keep in trust are all unlawful and impermissible, and definitely included under customary thefts, but, the punishment for all these is punitive which depends upon the discretion of the ruler. Since these are not included under the definition of legally culpable 'Sariqah,' no amputation of hand will take place.

Likewise, the hand of a stealer of coffin clothes will not be cut because, first of all, it is in no secure place, then the shroud itself is not in the 'ownership' of the deceased, though this act of the stealer is gravely unlawful. For this, he will have his punitive punishment at the discretion of the ruler. In the same manner, if someone commits a theft in what was jointly owned property in which the stealer too had some share - whether it was a joint property from inheritance or from commercial partnership - it is a situation in which, since some part of the ownership of the stealer is also included therein, the doubt about such ownership will cause the Islamic Legal Punishment (Ḥadd) to be dropped and punitive punishment will be given.

As for all these conditions, they relate to the actual completion of the crime, a brief outline of which you have seen above. Now what comes next is the completion of the proof. In this matter of enforcing Ḥudūd, the Shari'ah has also made its Law of Evidence unmistakeable by keeping it very distinct and cautious as compared to what concerns other common matters. In the punishment of adultery, imposed there is the condition of four witnesses in place of two - and that too, while they give such eye witness as would not leave any word doubtful therein. Though, in the case of theft, only two witnesses are sufficient, yet, even for these two, some additional conditions, other than those commonly required in witnessing, have been imposed. For example, there are other matters in which, if needed, the Qāḍī or judge has the option to accept the witness of a sinning person if he is satisfied that the person, despite his being a sinner practically, does not lie. But, in the case of Ḥudūd, the Qāḍī or judge does not have the right to accept his witness. Common matters can be judicated based on the evidence given by one man and two women. But, in Ḥudūd, the evidence of two men is necessary. In common cases, the Shari'ah does not consider Tamādī (being time-barred) as valid excuse - a witness given by someone can be accepted irrespective of the time lag since the event occurred. But, in Ḥudūd, if a testimony is not given immediately, instead of that, was given after one month or was delayed more than that, then, it will not be acceptable.

This brief outline of the conditions of the enforcement of the Ḥadd of Sariqah appearing above has been taken from the highly authoritative book of the Hanafī Fiqh, Badā'i' al-Ṣanā'i'.

The outcome of all these conditions is that the Ḥadd of Shari'ah, the Islamic Prescribed Punishment, will be enforced only in a situation when it is strictly in accordance with the rules of procedure determined by the inviolable Shari'ah of Islam that the crime, as well as, its proof are found conclusively complete - and so complete too as would leave no aspect of it doubtful. This tells us that the Shari'ah has done two things simultaneously - it has, on the one hand, fixed the punishment of these crimes, as required in its wisdom, being strict as they are; but, on the other hand, it has also taken extreme precaution in the enforcement of the Ḥudūd of Islamic Law. The Law of Evidence as

applicable to Ḥudūd is also different from the Law of Evidence as applicable to common matters, and is certainly based on extreme precaution. The slightest shortfall in it renders the Ḥadd of the Shari'ah to be changed into punitive punishment. Similarly, in the event of any shortcoming being found in determining the completion of the crime, the Ḥadd of the Shari'ah is dropped and punitive punishment gets activated in its place. The practical outcome of this is that the far-out occasion of enforcing the Ḥudūd of the Shari'ah would present itself only very rarely (or, as they would say in charged English, only once in a blue moon!) Under normal conditions, even in crimes which fall under Ḥudūd, the punishments given are punitive. But, in a case, where the completion of the crime and the completion of the proof conjoin, even though in one per cent cases, the punishment given is very stringent, something which would inspire awe, something mind-boggling and heart-rending, something which would cause the next aspirant cold feet before even touching a crime like that. This kind of punishment, notwithstanding objections, becomes the source of eradication of crimes and the blessing of public peace for ever. This stands in stark contrast against societies built around penal laws with which hardened criminals keep playing as some sort of sport they enjoy. They sit in jails making programs to do what they have been doing all along much better next time they are out there. There are countries where the Ḥudūd of the Shari'ah are imposed even now. A look at conditions which prevail there would bring the reality in the open. You do not see there a lot of people with amputated hands, nor is there an event of stoning to death (*Rajm*) for years and years together. But, such is the standing awe and dread and fear of these punishments in hearts that theft, robbery and immodesty do not seem to exist there.

Muslims have the first-hand and direct knowledge about conditions in Saudi Arabia because Muslims of all classes and countries have the good fortune of being there in connection with Hajj or 'Umrah. Five times everyday, everyone sees that shops and stores are open. Merchandise worth millions is lying there and their owner leaves for the Sacred Mosque at prayer time without closing them - and comes back from there only after having made his prayers in perfect peace. He

never has any scruples about anything having disappeared from where he had left it. Then, this is not a matter of one day. This is a matter of whole life and how it goes on. Do this in any 'civilized' country of the world, you will end up with hundreds of thefts and robberies in a single day. Strange are the ways of those who claim to be the standard bearers of civilization and human rights. They are compassionate to professional criminals but they have no mercy for the whole humanity harassed by them. In cold reality, showering mercy on one criminal amounts to being tyrannical to the whole humanity. This attitude is the greatest cause of disturbing public peace and tranquility. This is the reason why He, who is the Lord of all universes and worlds, and who provides sustenance to the virtuous and the vicious, the pious and the polytheists, the saints and the sinners, and who gives to snakes, scorpions, lions and wolves their livelihood, and whose mercy extends to all, it was He who, when He revealed the religious laws of Ḥudūd in the Qur'ān, also said along with it: **وَلَا تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ مِنِّي إِنَّي دِينَ اللَّهِ** that is, 'do not show mercy to these criminals in enforcing the Ḥudūd of Allah.' On the other hand, He declared Qīṣāṣ (the Law of Even Retaliation) to be the life of humanity: **وَلَكُمْ فِي الْقِصَاصِ حَيَوةٌ يَا أُولِي الْأَلْبَابِ** that is, 'for you in Qīṣāṣ there is life, O people of understanding.' It appears that those who oppose and obstruct the institution of Islamic Ḥudūd, just do not wish that crimes be eradicated. Otherwise, as far as mercy is concerned, who else, if not Islam, can be the teacher? It is Islam which has recognized the right of even enemies and killers in the heat of the battlefield where it demands: Hold your hands before women, hold your hands before children, hold your hands before the aged, and do not kill the religiously observing not fighting against you on the battlefield but are busy with worship in their way.

What is most astonishing is the cold fact that objections against Islamic punishments are raised by, of all the people, those have their hands red with the blood of hundreds and thousands of innocent and blame-free human beings of Hiroshima even to this day, human beings who may have never dreamed of fighting and killing in a battlefield and included among them are women and children and old people, a

whole lot of human beings indeed! And these are the people whose fury has still not subsided even after the tragedy of Hiroshima and who are still going ahead with all sorts of goals and projects and experiments to build and stock nuclear weapons of mass destruction.

Other than this, there is not much we can say, except raise our hands in prayer - May Allah remove the curtains of selfishness from their eyes and may He guide them towards the true Islamic methods of establishing peace in the world.¹

Verses 41 - 43

يَا أَيُّهَا الرَّسُولُ لَا يَحْزُنْكَ الَّذِينَ يُسَارِعُونَ فِي الْكُفْرِ مِنَ
الَّذِينَ قَالُوا آمَنَّا بِأَفْوَهِهِمْ وَلَمْ تُؤْمِنْ قُلُوبُهُمْ ۚ وَمِنَ الَّذِينَ
هَادُوا ۚ سَمَّعُونَ لِلْكَذِبِ سَمَّعُونَ لِقَوْمٍ آخَرِينَ ۖ لَمْ يَأْتُواكَ
يُحَرِّفُونَ الْكَلِمَ مِنْ بَعْدِ مَوَاضِعِهِ ۚ يَقُولُونَ إِنْ أُوتِيتُمْ هَذَا
فَخُذُوهُ وَإِنْ لَمْ تُؤْتُوهُ فَاحْذَرُوا ۚ وَمَنْ يَرِدِ اللَّهُ فِتْنَتَهُ فَلَنْ
تَمْلِكَ لَهُ مِنْ اللَّهِ شَيْئًا ۚ أُولَٰئِكَ الَّذِينَ لَمْ يُرِدِ اللَّهُ أَنْ يُطَهِّرَ

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1. This is the basis of the nuclear conflict among nations. The haves want to keep what they have and stop others from having it. If others have it, that will be 'proliferation'. The power to destroy must stay with the powerful. Because, powerful is responsible. But, was it? So, being powerful, or mutually cooperating powerfuls, is no guarantee that nuclear weapons will not be used. Human beings of one country sitting on their nukes and talking about world peace is hardly believable.

Let's say Amen to the prayer.

A word about the use of the word, 'deterrent' with nuclear weapons. They are there, just in case ... They are supposed not to be used first. They are for retaliation. The having of nuclear weapons means that everybody should behave, or else! So, they are 'deterrents', telling people to be careful and not mess around. So human beings can have deterrents to check the irresponsible behaviour of others, the behaviour of 'rogue' states, for example. Now, if God were to enforce His own deterrent against criminals, robbers and thieves and fornicators, in His wisdom, how could that become 'savage' overnight? Or, is it that what a set of human beings can do in their 'self-interest', cannot be done by God, in His Wisdom? ... Mercy! (Tr.)

قُلُوبُهُمْ ۖ لَهُمْ فِي الدُّنْيَا خِزْيٌ ۖ وَلَهُمْ فِي الْآخِرَةِ عَذَابٌ
 عَظِيمٌ ﴿٤١﴾ سَمْعُونَ لِلْكَذِبِ أَكْلُونَ لِّلْسِحْتِ ۖ فَإِنْ جَاءُوكَ
 فَاحْكُم بَيْنَهُمْ أَوْ أَعْرِضْ عَنْهُمْ ۚ وَإِنْ تُعْرِضْ عَنْهُمْ فَلَنْ
 يَضُرُّوكَ شَيْئًا ۖ وَإِنْ حَكَمْتَ فَاحْكُم بَيْنَهُم بِالْقِسْطِ ۚ إِنَّ اللَّهَ
 يُحِبُّ الْمُقْسِطِينَ ﴿٤٢﴾ وَكَيْفَ يَحْكُمُونَكَ وَعِنْدَهُمُ التَّوْرَةُ
 فِيهَا حُكْمُ اللَّهِ ثُمَّ يَتَوَلَّوْنَ مِنْ بَعْدِ ذَلِكَ وَمَا أُولَٰئِكَ
 بِالْمُؤْمِنِينَ ﴿٤٣﴾

O Messenger, those who race towards disbelief should not be a cause of grief for you - those who say with their mouths, "We believe," while their hearts do not believe, as well as those who happen to be Jews. They are listeners of the lie, listeners for other people who did not come to you. They displace the words after their having been properly placed. They say, "If you are given this, take it, and if you are not given this, then avoid." And the one whom Allah wills to put to trial, for him you shall never be able to do anything against Allah. They are the ones whose hearts Allah did not intend to purify. For them there is humiliation in this world. And for them there is a great punishment in the Hereafter. [41]

Listeners of the lie! Eaters of the unlawful! So, if they come to you, judge between them or turn away from them. And if you turn away from them, they can do you no harm. And if you judge, judge between them with justice. Surely, Allah loves those who do justice. [42] And how do they ask you to judge while the Torah is there with them having the judgement of Allah? Still, they turn away, after all that. They are no believers.

[43]

Sequence of the Verses

Continued from the third Section of Sūrah al-Mā'idah was the subject around the People of the Book. In between, some other subjects, though very few, appeared where particularly appropriate. Now, the

text resumes that subject again which goes on further ahead. The People of the Book already had two groups among them. Joining them was a third group. They were really Jews who had become Muslims hypocritically. They would show their Muslim face before Muslims but when they sat with their co-religionist Jews, they mocked Islam and Muslims. The three verses appearing above concern the doings of these three groups which show that they prefer their desires and opinions over the injunctions and instructions of Almighty Allah and keep trying to interpret and mould them to their own choices. These verses tell us about the disgrace and evil end of such people in this world as well as in the Hereafter. As a corollary, there appear some guiding principles and injunctions for Muslims.

The Background of the Revelation

Two events which are the cause of the revelation of the cited verses relate to Jewish tribes who lived in the vicinity of Madīnah during the blessed period of the Holy Prophet صلى الله عليه وسلم. One of these events was that of Qatl and Qiṣāṣ (killing and retaliation) and the other, that of Zina (fornication) and its punishment.

It is not hidden from anyone who knows history (as it is) that tyranny prevailed all over before the advent of Islam. Mastery was for the powerful and slavery, for the weak. The powerful and the influential had their laws different from the weak and the meek. Not too far is an extension of that approach in our own time where some of our so-called civilized countries had separate laws for the black and the white. But, across this bridge of history, came the blessed benefactor of humanity, the Arab Prophet, may the blessings of Allah be upon him, and peace, who alone erased these distinctions. It was he who first declared equality of rights for the progeny of Adam and taught human beings their essential lesson in humanity.

Before the coming of the Holy Prophet صلى الله عليه وسلم to Madīnah, there lived on the outskirts of Madinah two tribes of Jews, Banū Qurayzah and Banū Naḍīr. Out of the two, Banū Naḍīr were more powerful and wealthy than Banū Qurayzah who constantly suffered at their hands and could do nothing about it. Matters reached to the point when Banū Naḍīr forced Banū Qurayzah to agree to a disgraceful pact whereby if a man from Banū Naḍīr were to kill a man from Banū

Qurayzah, they would not have the right to take his life in Qisās (retaliation). Instead, stipulated the pact, they will receive only seventy *Wasaq* of dates as his blood money (*Wasaq*, Arab measure of weight approximately equivalent to 195.30 kg). As for the case being the reverse of it, if a man from Banū Qurayzah were to kill a man from Banū Naḍīr, the law will be that the killer will be killed and, on top of it, blood money will be taken, and that too, twice as much as compared to what Banū Naḍīr were entitled to, that is, one hundred and forty *Wasaq* of dates. Attached along with these were more conditions such as, if a woman from Banū Naḍīr were to be killed, a man from Banū Qurayzah will be killed in retaliation; and if the person killed were to be a man, two men from Banū Qurayzah will be killed in retaliation; and if a slave from Banū Naḍīr has been killed, a free man from Banū Qurayzah will be killed in retaliation; and if one hand of a man from Banū Naḍīr has been cut by someone, two hands of a man from Banū Qurayzah will be cut; if one ear has been cut, two ears of their man will be cut. This was 'law' before Islam as it prevailed between these two tribes and Banū Qurayzah being weak had no choice but to go along with it.

When the Holy Prophet صلى الله عليه وسلم migrated to Madīnah, it became Dār al-Islām, a homeland of Muslims. These two tribes had not embraced Islam upto that time nor were they bound to follow Islamic law under any treaty obligation. But, they were observing the justice and common good brought in by Islamic law from a distance. During this period, it so happened that a man from Banū Qurayzah killed a certain man from Banū Naḍīr. According to the pact mentioned above, Banū Naḍīr demanded the doubled blood money (*Diyat*) from Banū Qurayzah. As said earlier, Banū Qurayzah were neither a part of the Muslim community nor did they have any existing pact with the Holy Prophet صلى الله عليه وسلم. But, they were Jews who had among them many learned people as well. They knew on the strength of the prophecies of the Torah that the Holy Prophet صلى الله عليه وسلم is the promised Last Prophet the glad tiding of which was given by the Torah. But, they had not declared their faith in him because of religious prejudice or temporal greed. Since they were watching that the Last Prophet's religion is a standard bearer of human equality and justice, they used it as a crutch to get rid of the tyranny of Banū Naḍīr. They refused to

pay the doubled blood money on the plea that they belonged to the same family, same country, and same religion, that is, Judaism, and that they were not going to tolerate the unjust treatment meted out to them because of their weakness against tyranny right upto that day.

This reply enraged Banū Naḍīr to the point of an imminent war. But, later, on the advice of some elders, it was decided that this matter should be taken to the Holy Prophet صلى الله عليه وسلم for his decision. Banū Qurayzah could not have it any better. They already knew that the Holy Prophet صلى الله عليه وسلم was not going to allow the injustice of Banū Naḍīr to continue. As for Banū Naḍīr, though they did agree to mutual conciliation talks under a situation of duress, but they also backed it up with a conspiracy when they sent a group of people to the Holy Prophet صلى الله عليه وسلم before their case was to be presented in his court. These people were really their co-religionists, that is, they were Jews but kept in touch with the Holy Prophet صلى الله عليه وسلم by hypocritically assuring him of their Islam. Their objective was to somehow find out the view of the Holy Prophet صلى الله عليه وسلم before he hears and decides the case. So, the mandate and instruction given to these people was that they should accept what he said subject to the condition that it was in favour of their demand, and in the eventuality that his judgement turned out to be contrary to this, they were told not to make any commitments about its acceptance.

This event describing the cause of the revelation of these verses has been reported in detail by al-Baghawī while the Musnad of Aḥmad and Abū Dāwūd have reported its summary from Sayyidnā 'Abdullāh ibn 'Abbās رضى الله عنه (Maẓharī).

Similar to this, there is another event, that of Zinā (fornication). Reporting its details, al-Baghawī says that it took place among the Jews of Khaybar. According to the punishment prescribed by the Torah, the couple involved had to be stoned to death. But, both of them belonged to some influential family. The Jews, acting in accordance with their old habit, looked for a softening of the punishment for them knowing that the religion of Islam gives leaves and concessions liberally. Based on this, they assumed that Islam would reduce this punishment as well. So, the people of Khaybar sent a message to their clansmen of Banū Qurayzah asking them to have this case settled by

Muḥammad ﷺ and along with it, they sent the two accused as well. Their motivation behind this action was no different as they too instructed their clansmen to accept the verdict of the Holy Prophet ﷺ if the punishment awarded by him turned out to be light, but they were to reject it if the case was otherwise. At first, Banū Qurayzah were reluctant about the proposal. They did not know how the case will be decided by him and once they were there, they would have to accept the verdict. But, after further consultations, they decided that some of their chiefs should take the accused couple to the Holy Prophet ﷺ and request him to decide the case.

So, a deputation of Ka'b ibn Ashraf and others accompanied by the accused couple came to the Holy Prophet صلى الله عليه وسلم. They asked: 'If a married man and a married woman are involved in adultery, what punishment do they get?' He said, 'Will you accept my verdict?' They said that they would. At that moment, Sayyidnā Jibra'īl appeared with a command from Almighty Allah which announced that their punishment was stoning to death. When these people heard this verdict, they were taken aback. They refused to accept it.

Sayyidnā Jibra'īl advised the Holy Prophet صلى الله عليه وسلم that he should ask these people to appoint Ibn Ṣūryā as the arbitrator before deciding whether to accept or not to accept the verdict. Then, he told him about Ibn Ṣūryā and his identity. He asked the members of the deputation if they knew the youngman who is white but blind in one eye. He lived in Fidak and His name was Ibn Ṣūryā. Everyone confirmed that they did. He asked, 'What do you think about him?' They said, 'Of the learned people among Jews, there is no scholar greater than him on this earth.' He said, 'Call him in.'

So, he came. The Holy Prophet صلى الله عليه وسلم asked him on oath, 'What is the injunction of the Torah in this case?' He said, 'By the Being in whose name you have put me on oath, if you had not put me on oath in that manner, and I did not have the apprehension that a false statement on my part would make the Torah burn me, then, I would have not revealed the reality. The reality is that the Torah too, like the injunction in Islam, does carry the command that both of them should be killed by stoning (*Rajm*).'

The Holy Prophet صلى الله عليه وسلم said, 'What has come upon you now that you act against the injunction of the Torah?' Ibn Šūryā replied, 'The fact of the matter is that, religiously and legally, this is the punishment of adultery with us. But, since a prince of ours got involved in this crime, we showed leniency to him and let him go. We did not stone him to death. Later, the same crime was committed by an ordinary man. People responsible decided to stone him to death. The supporters of the criminal protested demanding that the Jewish Legal Punishment decided for this man should be given to the prince first, otherwise, they threatened, they would resist and block the execution of the punishment against him. When things dragged on, they sat together and compromised on just one light punishment for all, leaving the injunction of the Torah aside. So, we came up with a punishment which required some beating and the taking out of a procession with the culprits having their faces blackened with soot (a symbol of disgrace). This, then, became the usual custom with everyone.'

Commentary

We now know the details of the background in which the present three verses (41-43), and others which will follow, were revealed. Their gist is that the Jews were habitually used to issuing religious edicts as desired by the people, either for the benefit of relatives or to satisfy their greed for money, property, influence, and recognition. This had become a common custom particularly in matters involving punishments that they would, if the crime was committed by an influential person, change the severe punishment of the Torah into an ordinary one. It is this behaviour pattern of theirs which has been described in the first verse (41) in the following words: يُحَرِّفُونَ الْكَلِمَ مِنْ بَعْدِ مَوَاضِعِهِ (They displace the words after their having been placed properly).

When the Holy Prophet صلى الله عليه وسلم took up residence in Madīnah, these people started noticing changes. The Islamic Rule of Law was working as a unique system. It was simple, open and full of conveniences. Then, it had a reasonable set-up to eradicate crimes through appropriate punishments. Now the people who were used to making the severe punishments of the Torah easy for their clients by changing them saw an opportunity for themselves whereby they could take such shady matters to the Holy Prophet صلى الله عليه وسلم and make him their

judge or arbitrator. The dual advantage they saw in it was that they would reap the benefits of all easy and light rules of Islamic Law while, at the same time, they would not have to commit the crime of altering the Torah. But, here too, they had their crookedness at work as they would hold on to their decision of taking their case to him until such time that they succeeded in finding out beforehand through some source or ruse as to the actual verdict which would be delivered in their case when presented. Then, if they found this verdict matching their wishes, they would make him their arbitrator and have him decide their case. If it happened to be contrary to their wishes, they would leave it at that. Since the events of this nature had caused pain to the Holy Prophet صلى الله عليه وسلم, he has been comforted in the opening sentence of the verse that he should not grieve about their behaviour because it would finally turn out to be good for him.

Then, Allah Almighty let him know that these people were not making him a judge in their case sincerely. Their intentions were mischievous. Then, in the later verse (42), he was given the choice to either decide or avoid their case as he wished. He was also assured that they will not be able to harm him in any way, if he wished to avoid them. This is what the verse: **فَاَحْكُم بَيْنَهُم اَوْ اَعْرِضْ عَنْهُمْ** (judge between them or turn away from them) means. Then, in the part of the verse which follows immediately, it was stated that should he elect to decide their case, the guideline given is that the decision has to be just. In other words, it meant that he was to decide the case in accordance with his Shari'ah because, after the coming of the Holy Prophet ﷺ, all former religious codes and their laws stand abrogated, except those which have been retained in the Holy Qur'an and the Shari'ah of the Last Prophet. It is for this reason that the act of deciding a case on the basis of another law, custom or usage contrary to the Divine Law has been declared to be injustice, sin and disbelief in later verses.

Judicial Process for Non-Muslims in an Islamic State

At this point, it should be borne in mind that these Jews who sent their cases to the court of the Holy Prophet صلى الله عليه وسلم did not believe in him or his Shari'ah nor were they Dhimmīs (non-Muslim citizens) protected by Muslims. However, they did have a no-war pact with the Holy Prophet صلى الله عليه وسلم. This is why he was given the option to ei-

ther turn away from them, or give a decision in their case according to his Shari'ah because no responsibility for them falls on the Islamic state. If they were Dhimmīs (protected non-Muslim citizens of a Muslim State) and approached the Islamic government, the responsible Muslim official would have been duty-bound to give a verdict in their case. Avoiding it would have not been permissible because watching over their rights and removing injustice done to them is the duty of an Islamic government. Therefore, in a verse which will appear a little later (49), it has also been said: *وَإِنْ أَحْكَمَ بَيْنَهُمْ يَأْتِكَ اللَّهُ وَلَا تَتَّبِعْ أَهْوَاءَهُمْ* (And judge between them by what Allah has sent down and do not follow their desires ...) In other words, it means: If these people bring their case to you, decide it in accordance with your Shari'ah.

No choice has been given in this verse. Instead, the command is to decide as prescribed. In *Aḥkām al-Qur'an*, Imām Abū Bakr al-Jaṣṣāṣ has accommodated the sense of both these verses by suggesting that the first verse where a choice has been given relates to non-Muslims who are not citizens or Dhimmīs of the Islamic state but continue to live where they are under a pact, such as, the position of the tribes of Banū Qurayzah and Banū Naḍīr. They had nothing to do with the Islamic state except that they were bound by a no-war pact. And the second verse concerns particular non-Muslims for whom Muslims are responsible and who are citizens of the Islamic state and owe allegiance to its legal government.

Worth pondering here is that in both these verses - the first verse which gives a choice and the second which gives a specified command - the instruction given to the Holy Prophet صلى الله عليه وسلم is that he should decide cases of these non-Muslims, whenever he does so, in accordance with the injunctions revealed by Almighty Allah, that is, in accordance with his Shari'ah - and not in accordance with the wishes of these non-Muslims or the religion they follow.

To explain, it can be said that this injunction is related to events which have been described under the background of the revelation of these verses. Of these, one concerned the punishment for killing and blood money while the other was that of adultery and its punishment. In such punishments of crimes, the universal practice is to have a common law for the whole country. In this common law, no discrimination

is made on the basis of classes or religions, for example, amputating the hand of the thief which would not apply to Muslims alone, but would be the punishment for every citizen of the country. Similarly, the punishments for killing and adultery will also be common to everyone. But, it does not make it necessary that personal and purely religious matters of non-Muslims should also be decided in accordance with the Islamic Shari'ah.

Take an example from the conduct of the Holy Prophet ﷺ himself. Though he did declare liquor and swine unlawful for Muslims and prescribed a punishment for it, but he left non-Muslims free of any obligations in this matter. In addition to that, he never interfered in the personal law of non-Muslims pertaining to marriages and similar other matters. In fact, he accepted their marriages as valid.

With the rise of Islam in the Arabian Peninsula, the Magians of Hajar and the Jews and Christians of Najrān and Wādī al-Qurā became Dhimmīs (protected non-Muslim citizens) of the Islamic state. That the Magians believed in marriage with even a mother and sister as lawful was known to the Holy Prophet صلى الله عليه وسلم. Similarly, marriage without 'Iddah (waiting period), or witnesses, was valid among Jews and Christians. But, he did not interfere in their personal matters and took their marriages as valid.

In short, it can be said that decisions about personal law and religious matters of non-Muslims who are citizens of a Muslim state shall be left to their own religion and thinking - and should there be the need to arrive at a judicial settlement of their cases, a judge from their own religion will be appointed to decide them.

However, in the event that they turn to a Muslim judge or ruler and show that the concerned parties would agree with the decision given, then, the Muslim judge or ruler will deliver his judgement but in accordance with his Shari'ah - because he is now the legally appointed arbitrator as approved by the parties concerned. In the noble verse: **وَأَنِ احْكُم بَيْنَهُم بِمَا أَنْزَلَ اللَّهُ** (Judge between them by what Allah has sent down and do not follow their desires - 49) appearing a little later, the command to decide in accordance with the Islamic Shari'ah given to the Holy Prophet صلى الله عليه وسلم is based either on the matter being that of common law from which no section can be exempted, or rests on the basis

that such people have themselves come to the Holy Prophet ﷺ, have taken him as the arbitrator and wish that he himself should decide their case. Thus, it becomes obvious that his decision should be the one he believes in and which is also the mandate of his Shari'ah.

Now as we move on to other aspects of verse 41, we see that it begins with words of comfort for the Holy Prophet صلى الله عليه وسلم, after which, he has been informed of the conspiracy hatched by the Jews, the description of which goes right upto its end. It reveals that the deputation coming to him was comprised of hypocrites who were secretly in league with the Jews and it is at their behest that they were going to see him. After that, there is a description of some evil traits of character the visiting group has against which Muslims have been warned. As an adjunct, it has been pointed out that these traits of character are rejectionist in nature, therefore, effort should be made to stay safe from them. Listed below are these four evil traits of character.

1. The first trait identified is: سَمْعُونَ لَكُذِبٍ (They are listeners of the lie). It means that they are used to listening to and going by what is false. They are the kind of blind followers of unfaithful Jews who see to it that they are called men of learning who would go on following them despite noticing that they were openly negating the injunctions of the Torah, worse still, they would continue being satisfied with their fictional interpretations of it.

Following 'Ulamā': The Norm for People

The way those making alterations and adulterations in the injunctions of Allah and His Messengers have been warned here, indicted similarly are those too who take such people as their leaders in religion and get used to listening to false and fabricated presentations from them. Offered here is an important rule of guidance for Muslims that, though the only way of following the obligations of religion open to unlettered masses is to act in accordance with the ruling (*Fatwā*) and teaching (*Ta'lim*) of 'Ulamā' (traditionally trained, morally groomed, professionally equipped men and women of learning and living and teaching in accordance with the inviolable truth of the Qur'an and Sunnah - a sense not carried by stray equivalents of scholars, the learned, religious leaders, divines, priests, et al. Tr.). But, this is a re-

sponsibility from which the masses too cannot escape. It is their duty to first find out what they are doing. Before they take a Fatwā or hope to act correctly in a religious matter, they must at least investigate into the antecedents of those they are going to follow. This is like a sick person looking for a good physician. He consults people who know about the best in the field, about their education, expertise, practice, professionalism, moral quality and human dealing. After this possible assessment, if one makes a mistake and falls into the trap of a quack or charlatan, a reasonable person would not blame him. But, anyone who did not take the trouble of investigating and landed into the lair of a false practitioner and messed up his life, then, he alone will be responsible for his suicide.

The same principle applies to the dissemination of knowledge about religious matters for common people. If one of them first did what was necessary, talked to people of knowledge, expertise and experience available in his area and was able to pick up an 'Ālim to consult and follow, and acted according to his Fatwā, then, he would be considered excusable not only in the sight of people but also in the sight of Allah. In a *ḥadīth* relating to a similar matter, the Holy Prophet صلى الله عليه وسلم is reported to have said: *فَإِنَّ إِيَّامَهُ عَلَى مَنْ أَفْتَى* which means, if in a situation like that, should the 'Ālim or Muftī make a mistake, and a Muslim acts in accordance with this incorrect Fatwā, then, the sin for having acted in that manner does not fall on him, but it does on that 'Ālim or Muftī - and that too would apply in a situation when that 'Ālim or Muftī had made such a mistake knowingly, or had fallen short in deliberating on the problem to the best of his ability, or, may be, he was no 'Ālim or Muftī to begin with, and had taken that responsible office through fraud or favour.

But, if a person takes someone as an 'Ālim (a source of correct religious guidance which is worth following) on his own, without investigating, and does what he says - and the 'Ālim so chosen is really not deserving of being followed - then, its curse will fall not only on that Muftī or 'Ālim alone, but this person who chose him will also share its consequences equally because he gave the reins of his 'Imān (faith) into the hands of such a person without any investigation. These are the kind of people the Holy Qur'an calls 'the listeners of the lie,' people who keep tagged behind their (ill-chosen) religious leaders without

taking the trouble of finding out the truth about their knowledge and integrity, conduct and deeds, trustworthiness and honesty. Unfortunately, they have got themselves into the habit of listening, accepting and being satisfied with fabricated and false narratives from them.

The Holy Qur'ān is talking about the condition of Jews here but the message behind it is actually beamed at Muslims so that they can stay safe against something like that. Unfortunately, this is one of the reasons of the downfall of Muslims in the contemporary world. They are quite smart in their mundane matters. When sick, they find the best physician. When stuck with a case, they will search out the best lawyer. When they make a house, they can dig out the top architect and engineer. But, when it comes to the matter of religion, they become so careless that they would take any man with a beard, a long shirt and a glib tongue as their religious leader, 'Ālim, Muftī or guide. They would do that without bothering to find out whether or not this person was educated and trained formally in a reliable institution of higher religious learning; whether or not he has sat at the feet of experts in the field and culled the taste and temperament of the knowledge of *Dīn*; whether or not he has made intellectual contributions during his career; whether or not he has benefited from the company of truly pious elders and Men of Allah by imbibing from them the essential virtues of Taqwā (fear of Allah) and Tahārah (physical and spiritual purity)?

The result of this carefree attitude is that a large section of people from among Muslims who do turn to religion unfortunately falls into the fishing nets of ignorant preachers and commercial *pīrs* and becomes far-removed from the correct path of religion. For people like that, their knowledge of religion stands reduced to tales which leave their desiring selves untouched and which, then, gives them the delusion that they are following religion and doing a lot of worship. But, its reality is what has been described in the Holy Qur'ān in the following words:

الَّذِينَ ضَلَّ سَعْيُهُمْ فِي الْحَيَاةِ الدُّنْيَا وَهُمْ يَحْسَبُونَ أَنَّهُمْ يُحْسِنُونَ صُنْعًا

They are the people whose efforts and deeds have gone waste within the life of the world while they are thin'ing that they have done something good.

Concluding with a summary, we can say that the Holy Qur'an identifies an important principle by describing the hypocrites from among the Jews as 'the listeners of the lie.' The principle is that following 'Ulamā is inevitable for people at large, but it is their responsibility that they should not follow anyone as their 'Ālim or guide in religion without prior investigation as a result of which they may not become habituated to listening to what is false from ignorant people.

2. Describing the other evil trait of these hypocrites, it was said: سَمْعُونَ لِقَوْمٍ آخَرِينَ لَمْ يَأْتُواكَ (listeners for other people who did not come to you). It means that these people have obviously come to ask you about a religious matter. But, the truth of the matter is that their objective is neither religion nor some ruling about it. In fact, they are the spies of the kind of Jewish people who did not come to you by themselves because of their arrogance. The deputationists, following the wishes of their senders, simply want to find out your view of the punishment of adultery and let their senders know about it who will themselves decide whether or not they would accept the verdict. In this, there is warning for Muslims that whoever seeks a Fatwā from an 'Ālim of *Dīn* is bound by the condition that the intention of the seeker must be to find out the command of Allah and His Messenger and to follow it. Any effort to find out from one Muftī, or more than one, the objective solution of a religious problem, then, going about looking for a solution which suits one's desires is an open demonstration of following one's own desiring self - and Shayṭān. This should be avoided.

3. Describing the third evil trait of these people, it has been said that they 'displace the words (of Allah) after their having been placed properly,' which means that, by doing so, they give the Word of Allah a meaning which is not intended and thus try to alter Divine injunctions. Included here is the possibility of making some changes or alterations in the very words of the Torah, as well as the eventuality that they keep the words as they are but make interpretations and alterations which are absurd in meaning. The Jews are used to doing it both ways.

In this, the warning given to Muslims is that Allah Almighty has Himself taken the responsibility of protecting the Holy Qur'an. As for an alteration in its words, nobody can dare to do that because it is sim-

ply not a matter of what is written in the already countless copies of the Qur'ān, but also that of what lies secured in the memory banks of millions of human beings. Anyone who makes the slightest mistake of mispronouncing even a short vowel is caught instantly. As for an alteration in meaning, it can obviously be done - and doers have done it too. But, for its security, Almighty Allah has made the arrangement that there shall remain in this Ummah right through the Last Day of Qiyāmah, a group of people who would be armed with the correct meaning and message of the Qur'ān and Sunnah, and they would be enough to unmask the alterers, corrupters and distorters of their meanings.

Bribery and its evil consequences

4. The second verse (42) mentions another evil trait of these people by calling them: أَكْثَرُونَ لِلْشُّعْتِ translated here as 'eaters of the unlawful' making 'the unlawful' to stand for the word, 'suḥt' in the text. The literal meaning of Suḥt is to uproot or destroy something totally which is the sense in what the Qur'ān says in: فَيَسْحَقُكُمْ بِعَذَابٍ, that is, (do not forge lies against Allah) lest He destroy you with a punishment - 20:61). But, at this place in the Qur'ān, Suḥt denotes bribe. Sayyidnā 'Alī رضى الله عنه, Ibrāhīm Nakha'ii, Ḥasan al-Baṣrī, Mujāhid, Qatādah and Ḍaḥḥāk and other leading authorities in Tafsīr have explained it as bribe.

The reason for equating bribe with Suḥt (total destruction; also - unlawful earning, detestable enough to be shunned) is that it not only destroys its givers and takers alike but also goes on to uproot the whole country and community and destroy public peace and tranquility (by causing rise in illegal gratification and fall in avenues of honest earning). When bribery gains currency in a country or a department, law freezes and bribery stays hot. As for the law of a country, it is the only power which maintains peace and stability. When law and order stand suspended, nothing remains safe, life or property or honour, nothing. Therefore, by calling it Suḥt, the Shari'ah has declared it to be gravely Ḥarām, forbidden and unlawful. Moreover, to block all possible doors of bribery, even the gifts given to officials or leaders or dignitaries of a country have also been classed as Suḥt or bribe in an authentic Ḥadīth, and has been declared to be Ḥarām. (Jaṣṣaṣ)

The Holy Prophet صلى الله عليه وسلم has said in a ḥadīth: Almighty Allah

causes His curse to fall on the giver and taker of bribe - and on him too who acts as a broker between them. (Jaṣṣaṣ).

The Islamic Legal definition of *Rishwah* (meaning bribery) is the taking of compensation for something the taking of which would not be legally correct. For example, a person doing a job, the doing of which is included within his duty, and the fulfilling of which is mandatory on him, cannot take any compensation for it from any party. If taken, that is bribe. Functionaries of governments, officials or clerks, higher or lower, are all obligated to do their duties by virtue of being paid employees of the government. If they take something from the person whose case they are handling, that will be a bribe. The father and mother of a girl are responsible for the marriage of their daughter. They cannot take any 'compensation' for doing that. If they take any 'compensation' from the person who will have the hands of their daughter in marriage, that is a bribe. *Sawm* (fasting), *Ṣalāh* (prayers), *Ḥajj* (pilgrimage) and the *Tilāwah* (recitation) of the Qur'ān are 'Ibādah' (acts of worship) with which Muslims have been obligated. The taking of any 'compensation' from anyone is a bribe. However, the duty of the Teaching of Qur'ān and the duty of leading *Ṣalāh* as Imām are exempt from this (as ruled by later Muslim jurists).

Then, a person who takes bribe **and** does someone's job as it should rightfully be done, he commits the sin of taking bribe and the money or material he has 'earned' is '*suḥṭ*,' and unlawful for him. And should he do it as it should have not been done rightfully, then, this becomes another grave crime, that of wastage of what was right and that of changing an express command of Allah, in addition to the initial one. May Allah keep all Muslims safe from this curse.

Verses 44 - 50

إِنَّا أَنْزَلْنَا التَّوْرَةَ فِيهَا هُدًى وَنُورٌ يَحْكُمُ بِهَا النَّبِيُّونَ الَّذِينَ
 اسْلَمُوا لِلَّذِينَ هَادُوا وَالرَّبِّيُّونَ وَالْأَحْبَارُ بِمَا اسْتَحْفَظُوا مِنْ
 كِتَابِ اللَّهِ وَكَانُوا عَلَيْهِ شُهَدَاءَ فَلَا تَخْشَوُا النَّاسَ وَاخْشَوْنَ
 اللَّهَ لَا تَشْتَرُوا بِإِيتِي ثَمَنًا قَلِيلًا وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ

فَأُولَٰئِكَ هُمُ الْكَافِرُونَ ﴿٤٤﴾ وَكَتَبْنَا عَلَيْهِمْ فِيهَا أَنَّ النَّفْسَ
 بِالنَّفْسِ ۖ وَالْعَيْنَ بِالْعَيْنِ ۖ وَالْأَنفَ بِالْأَنفِ ۖ وَالْأُذُنَ بِالْأُذُنِ
 ۖ وَالسِّنَّ بِالسِّنِّ ۖ وَالْجُرُوحَ قِصَاصٌ ۖ فَمَنْ تَصَدَّقَ بِهِ فَهُوَ كَفَّارَةٌ
 لَهُ ۖ وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ ﴿٤٥﴾
 وَقَفَّيْنَا عَلَىٰ آثَارِهِم بِعِيسَى ابْنِ مَرْيَمَ مُصَدِّقًا لِّمَا بَيْنَ يَدَيْهِ
 مِنَ التَّوْرَةِ ۖ وَآتَيْنَاهُ الْإِنجِيلَ فِيهِ هُدًى وَنُورٌ ۖ وَمُصَدِّقًا لِّمَا
 بَيْنَ يَدَيْهِ مِنَ التَّوْرَةِ وَهُدًى وَمَوْعِظَةً لِّلْمُتَّقِينَ ﴿٤٦﴾
 وَلِيَحْكُمَ أَهْلَ الْإِنجِيلِ بِمَا أَنزَلَ اللَّهُ فِيهِ ۖ وَمَنْ لَّمْ يَحْكَمْ بِمَا
 أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْفَاسِقُونَ ﴿٤٧﴾ وَ أَنزَلْنَا إِلَيْكَ الْكِتَابَ
 بِالْحَقِّ مُصَدِّقًا لِّمَا بَيْنَ يَدَيْهِ مِنَ الْكِتَابِ وَمُهَيْمِنًا عَلَيْهِ فَاحْكُم
 بَيْنَهُمْ بِمَا أَنزَلَ اللَّهُ وَلَا تَتَّبِعْ أَهْوَاءَ هُمْ عَمَّا جَاءَكَ مِنَ الْحَقِّ
 لِكُلِّ جَعَلْنَا مِنْكُمْ شِرْعَةً وَمِنْهَاجًا وَلَوْ شَاءَ اللَّهُ لَجَعَلَكُمْ أُمَّةً
 وَاحِدَةً وَلَٰكِنْ لِّيَبْلُوَكُمْ فِي مَا آتَاكُمْ فَاسْتَبِقُوا الْخَيْرَاتِ ۖ إِلَى
 اللَّهِ مَرْجِعُكُمْ جَمِيعًا فَيُنَبِّئُكُمْ بِمَا كُنْتُمْ فِيهِ تَخْتَلِفُونَ ﴿٤٨﴾
 وَأِنْ أَحْكَمَ بَيْنَهُمْ بِمَا أَنزَلَ اللَّهُ وَلَا تَتَّبِعْ أَهْوَاءَهُمْ وَاحْذَرْهُمْ أَنْ
 يَفْتِنُوكَ عَنْ بَعْضِ مَا أَنزَلَ اللَّهُ إِلَيْكَ ۖ فَإِنْ تَوَلَّوْا فَاعْلَمُوا أَنَّمَا
 يُرِيدُ اللَّهُ أَنْ يُصِيبَهُمْ بِبَعْضِ ذُنُوبِهِمْ ۖ وَإِنْ كَثِيرًا مِّنَ النَّاسِ
 لَفَاسِقُونَ ﴿٤٩﴾ أَفَحُكْمُ الْجَاهِلِيَّةِ يَبْغُونَ ۖ وَمَنْ أَحْسَنُ مِنَ اللَّهِ
 حُكْمًا لِّقَوْمٍ يُوقِنُونَ ﴿٥٠﴾

Surely We have sent down the Torah, having guidance and light therein by which the prophets, the submitting ones, judge for the Jews, and (so do) the Men of the Lord and the Men of knowledge, because they were entrusted with the protection of the Book of Allah, and

they stood guard over it. So, do not fear people. Fear Me. And do not take a paltry price for My verses. And whoever does not judge by what Allah has sent down, then, they are the disbelievers. [44]

And therein We have prescribed for them: life for life, eye for eye, nose for nose, ear for ear and tooth for tooth; and for wounds, an equal retaliation. Then, whoever forgives it, that will be expiation for him. And whoever does not judge by what Allah has sent down, then, they are the unjust. [45]

And in their wake, We sent 'Īsā son of Maryam, confirming what was before him, that is, the Torah; and We gave him the Injīl having guidance and light therein, and confirming what was before it, that is, the Torah, and a guidance and lesson for the God-fearing. [46]

And the people of Injīl must judge by what Allah has sent down therein. And whoever does not judge by what Allah has sent down, then, they are the sinners. [47]

And We have sent down to you the Book with truth, confirming the Book before it, and a safeguard for it. So, judge between them by what Allah has sent down, and do not follow their desires against the truth that has come to you. For each of you We have made a way and a method. And had Allah willed, He would have made a single community of people, but (He did not), so that He may test you in what He has given to you. Strive, then, to excel each other in good deeds. To Allah is the return of you all. Then Allah shall tell you about what you were disputing in. [48]

And (We have revealed to you) : Judge between them by what Allah has sent down and do not follow their desires, and beware of them lest they should turn you away from some of what Allah has sent down to you. So, if they turn away, be sure that Allah intends to make them suffer for some of their sins. And surely, many of the people are sinners. [49]

Is it, then, the judgement of (the days of) Ignorance that they seek? And who is better in judgement than Allah, for a people who believe? [50]

Sequence of the Verses

This is the third Section of Sūrah al-Mā'idah. Here, Allah Almighty has asked the Jews, the Christians and the Muslims to pay heed to a particular injunction of the creed they all share as being the three communities attached to the Prophetic Tradition. Appearing in different contexts through verses which have gone earlier, this is the serious matter of acting against the pledges given to Almighty Allah and that of changes, alterations and false interpretations made in injunctions sent to them - something which had become a chronic compulsion of habit with the Jews and Christians.

In the first two verses (44,45) of this Section, addressing the people of the Torah, Almighty Allah has warned them on this crookedness and about the sad end it will bring. With it, as a corollary, some congruent injunctions pertaining to Qīṣāṣ (Even Retaliation) have also been mentioned - for the Jewish conspiracy described in the previous verses was related to Qīṣāṣ which the people of the tribe of Banū Naḍīr did not like to be even and because of which they had compelled their weaker rivals, the Banū Qurayzah, to be content with lesser blood money as compared to themselves. Thus, in these two verses, the Jews have been given a stern warning against imposing their own law contrary to the Law sent down by Almighty Allah and those who do that have been classed as *Kāfir* (disbelievers) and *Zālim* (unjust).

After that, the third (46) and the fourth (47) verses are addressed to Christians. They too have been warned against enforcing a law of their own contrary to the Law sent by Allah. And those who do that have been classed as contumacious and disobedient.

Finally, in the fifth (48) and sixth (49) verses, addressing the Holy Prophet صلى الله عليه وسلم, Muslims have been instructed that they should take precautions to stay immune from the disease which had afflicted the people of the Book lest they too, God forbid, were to start changing through misinterpretations the injunctions and laws given by Almighty Allah - goaded by greed for money and recognition, or stoop to the haughtier level of making and enforcing a self-made law of their own contrary to His Law.

Also stated here subsequently is an important matter of principle which posits that all prophets, may peace be upon them all, adhered to

the same faith and way as far as believing in and obeying Allah is concerned. But, every prophet was given, as wisdom demanded, a Shari'ah or Way or Code, appropriate to the nature and need of his time and in which many subsidiary injunctions differ. Thus, as pointed out here, the very Shari'ah given to a prophet was the wisest choice for that time of the prophet and during which following it was obligatory. When abrogated and replaced by another Shari'ah, the later, then became what was wise and expedient at its time, the following of which also became equally obligatory. That there is a unique element of wisdom in the phenomena of alternation and variation in the systems of Shari'ah is a point which has also been made here.

Commentary

In the first verse of the set of verses appearing above, by saying: **إِنَّا أَنْزَلْنَا التَّوْرَةَ فِيهَا هُدًى وَنُورٌ** (Surely We have sent down the Torah, having guidance and light therein), the hint given is that the abrogation of the Shari'ah of Torah at that point of time is not because of any shortcoming of the Torah itself but it has been done rather because of the need to change injunctions with the change of time. Otherwise, the Torah too is a Book revealed by the same Revealer. It has rules of guidance for the Banī Isra'īl and it also has a special light which moves their hearts spiritually.

After that it was said: **يُحْكُمُ بِهَا الَّذِينَ اسْلَمُوا لِلَّذِينَ هَادُوا وَالرَّاسِخُونَ فِي الْأَحْكَامِ** that is, 'We had revealed the Torah so that, until its Shari'ah has not been abrogated, all incoming prophets and their deputies, the men of Allah and the 'Ulamā shall all decide and rule in accordance with this Torah making it the working law of their time.' The deputies of the prophets, may peace be upon them all, have been mentioned in two categories - 'Rabbāniyyūn' and 'Aḥbār'. The word, 'Rabbāniyy' is attributed to 'Rabb' and means 'Man of Allah.' As for 'Aḥbār', it is the plural form of Ḥībīr which, in the Jewish terminology, used to stand for 'Ālim (roughly, a scholar of religious sciences). It is obvious that for one to be a Man of Allah one has to have the knowledge of the necessary injunctions of Almighty Allah, otherwise deed *sans* knowledge is not possible - and no one can become a Man of Allah without obeying Divine injunctions and acting in accordance with them. Similarly, an 'Ālim is, in the sight of Allah, one whose deeds in life are a mirror of his knowledge, otherwise

an 'Ālim who, despite his knowledge of Divine injunctions, does not fulfill his binding religious obligations by doing what is required of him nor shows any concern for his failure to do so, is worse than an ignorant person in the sight of Allah. The outcome is that every Man of Allah is an 'Ālim and every 'Ālim is a Man of Allah (or should be, in principle). But, at this place, by mentioning both separately, a notice of caution has been given - no doubt, knowledge is necessary for a Man of Allah and deed, for an 'Ālim - but, one gets to be identified with his dominant activity or colour (of the rainbow he follows in his path of obedience to Allah) and that becomes the name he is called with. A person who mostly devotes himself to 'Ibādāt (acts of worship), A'māl (deeds) and the Dhikr of Allah (remembrance) and acquires religious knowledge sufficient for his needs, he is called a Rabbāniyy or Man of Allah. This, in our contemporary usage, is given names like Shaykh, Murshid, Pīr and a good many others. As for the person who acquires the highest practical expertise available in religious sciences, and devotes himself to the mission of teaching and training people in the rules of the Shari'ah, and fulfills the obligations of discharging what is Farḍ, Wājib and Sunnah al-Mu'akkadah - but is unable to spend any more time in performing Nafl 'Ibādāt (voluntary acts of worship) - he is called 'Hibr' or 'Ālim.

To sum up, it can be said that the explanation given above also makes it clear that there is no dichotomy in Shari'ah and Tariqah and no distance between 'Ulamā and Mashā'ikh. They all converge into the basic unity. As far as the difference in their method of work and the predominant area of occupation is concerned, it becomes equally evident that the 'Ulamā (religious scholars) and Sūfis (religious mystics) are not two sects or factions. Far from it, they are, rather, one - in the sense that they both work for the same purpose in life, that of submission and obedience to Allah and His Messenger. But, their comparative methods employed to achieve this purpose do seem to be formally divergent.

After that, it was said: **يَا اسْتَحْفِظُوا مِنْ كِتَابِ اللَّهِ وَكَانُوا عَلَيْهِ شُهَدَاءَ** (because they were entrusted with the protection of the Book of Allah and they stood guard over it). It means that these prophets and their two kinds of deputies, the 'Ulamā and the Mashā'ikh (Men of Knowledge and Men

of Allah) were responsible for enforcing the laws of the Torah because Almighty Allah had entrusted them with the protection of the Torah and they had given the pledge that they would guard it.

Upto this point, the text was referring to the Torah as Divine Scripture and guidance and light which was enforced and guarded by prophets, and their deputies among guides and scholars. Then, the focus turns on to the contemporary Jews who have been censured for not having guarded the Torah as their elders did. They acted crookedly when they started changing its injunctions, for example, the glad tidings of the coming of the Last among Prophets, Muhammad al-Muṣṭafā, may the peace and blessing of Allah be upon him, was mentioned clearly in the Torah and the Jews were asked to believe in him. But, rather than believe in him as required, they became hostile to him. Also given here is the reason as to what prompted them to do so. It was love for power and love for money. They knew that the Holy Prophet صلى الله عليه وسلم was a true prophet of Allah but they balked at the thought of following him because they were taken as leaders among their people, common Jews who followed them. Now if they were to embrace Islam, they will turn into common Muslim individuals. Gone will be their pivotal position for power play. Other than this, they had almost made it a profession that they would bend and alter the provisions of the Torah to provide officially endorsed conveniences for influential people against payment of bribes. The contemporary Jews were warned about this practice in the following words:

فَلَا تَحْشَوْا النَّاسَ وَاحْشَوْنِي وَلَا تَشْتَرُوا بِآيَاتِي ثَمَنًا قَلِيلًا

(So, do not fear people, fear Me. And do not take a paltry price for My verses).

It means that they should not fear that their people will stop following them or will turn against them and that they should not alter Divine commands for the sake of insignificant worldly gains for it would ruin them both materially and spiritually because:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

And whoever does not judge by what Allah has sent down, then, they are the disbelievers.

In the second verse after that (45), there is a description of the in-

junctions of Qīṣāṣ (Even Retaliation) with a particular reference stressing that 'We had revealed these injunctions in the Torah.' The words of the text are:

وَكَتَبْنَا عَلَيْهِمْ فِيهَا أَنَّ النَّفْسَ بِالنَّفْسِ وَالْعَيْنَ بِالْعَيْنِ وَالْأَنْفَ بِالْأَنْفِ
وَالْأُذُنَ بِالْأُذُنِ وَالسِّنَّ بِالسِّنِّ وَالْجُرُوحَ قِصَاصٌ

'We had revealed in the Torah this injunction of Qīṣāṣ for the Jews that there will be life for life, eye for eye, nose for nose, ear for ear, tooth for tooth; and for wounds an equal retaliation.'

It will be recalled that the case of Banū Qurayẓah and Banū Naḍīr was brought before the Holy Prophet صلى الله عليه وسلم. Counting on their power, Banū Naḍīr had compelled the weaker Banū Qurayẓah to agree to their oppressive conditions which stipulated that should a man from Banū Qurayẓah kill a man from Banū Naḍīr, they will have to pay two penalties. The Qīṣāṣ of life for life will be taken as well as the blood money will have to be paid. If the case was the reverse, that is a man from Banū Naḍīr kills a man from Banū Qurayẓah, then, there will be no Qīṣāṣ; only blood money will be paid but that too will be half of what Banū Naḍīr were entitled to.

In this verse, Allah Almighty has exposed the lie of these people by pointing out that the injunctions of equality in Qīṣāṣ (retaliation) and Diyat (blood money) exist in the Torah too. What these people are doing is considered avoidance and that they bring their case to the Holy Prophet صلى الله عليه وسلم for a decision as alleged is no more than a ruse to find an excuse.

At the end of the verse it was said: وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ (And whoever does not judge by what Allah has sent down, then, they are the unjust.) It means that people who do not take the injunctions of Allah binding and who do not decide matters in accordance with them, are dissenters to the Divine commandment, its rejectors and rebels. They are unjust. The third verse (46) begins with the mention of the coming of Sayyidnā 'Isā عليه السلام who was sent to confirm the previous Scripture, that is, the Torah. Mentioned after that is the Injīl because that too, like the Torah, is guidance and light.

In the fourth verse (47) it was said that the people of the Injīl

should enforce injunctions in accordance with the Law revealed by Almighty Allah in the Injīl, and those who enforce what is against the injunctions sent down by Almighty Allah are disobedient, sinners.

The Qur'ān: Custodian of Torah and Injīl

In the fifth (48) and the sixth (49) verse, the address is to the Holy Prophet صلى الله عليه وسلم saying that to him Allah has revealed the Qur'ān which confirms the Torah and Injīl, Books previous to it, and is their custodian as well. This is because, after the people of the Torah altered the Torah and the people of Injīl made changes in the Injīl, it was the Qur'ān alone which turned out to be the kind of overseer and protector which exposed the alterations made by them, lit up truth and reality in their proper perspective. Even today, the true teachings of the Torah and Injīl still survive through the Qur'ān while those who inherited them and those who claim to follow them have disfigured them to the extent that it has become impossible to distinguish truth from untruth. Towards the end of the verse, the Holy Prophet ﷺ has been given the same instruction as was given to the people of the Torah and the people of the Injīl, that is, all orders and judgements given by him should be according to injunctions revealed by Allah, and that he should see through the ploy of these people who intend to have him decide matters according to their wishes and take his guard against their evil plans. There was a particular reason for saying what was said. Some Jewish religious scholars came to the Holy Prophet ﷺ. They told him that they were religious leaders among the Jews. If they became Muslims, the rest of them would become Muslims too. But, there was a condition to it. They said that they had a legal dispute with his people. They would bring that case to him. If, in this case, he were to decide in their favour, they would embrace Islam. Thereupon, Almighty Allah gave him the word of caution that he should never decide against considerations of equity and justice and the Law revealed by Allah because of the offer to become Muslims made by these people - a proposition which was not for him to worry about.

The Wisdom behind Partial Difference in Shari'ahs of Prophets

Besides other elements of guidance, this verse carries an answer to a basic question of principle. The question is: When all prophets have

been sent by Allah, and all Books and Shari'ahs come from Him, why do they differ and why do a coming Book and Shari'ah abrogate the outgoing Shari'ah and Book? The answer has been given in this verse, alongwith its wisdom:

لِكُلِّ جَعَلْنَا مِنْكُمْ شِرْعَةً وَمِنْهَاجًا وَلَوْ شَاءَ اللَّهُ لَجَعَلَكُمْ أُمَّةً وَاحِدَةً وَلَٰكِن لِّيَبْلُوَكُمْ فِيهَا أَتَسْتَقِيمُوا الْخَيْرَاتِ

For each of you, We have made a way and a method. And had Allah willed, He would have made a single community of people, but (He did not), so that He may test you in what He has given to you. Strive, then, to excel each other in good deeds.

To explain this in other words, it can be said that Allah has made for every section among human beings a particular Shari'ah and particular method of doing things in which, despite common principles, there are expedient differences in subsidiary injunctions. Had Allah so willed, it would have not been at all difficult for Him to make all human beings one community with only one Book and one Shari'ah for everyone. But, Allah Almighty did not prefer to do so for He intended to test people. He wanted to see who gets to know the reality of 'Ibādah (worship) and stays alert to receive and respond positively to whatever command comes for them. It may be a new Book or a new Shari'ah. They will be ready to accept and follow that, no matter how dear the previous Shari'ah and Book may be to them and no matter how hard its abandoning may be on them because of its grip on them as their ancestral religion. But, such people with their awakened sense of belonging to their ultimate master, always stay tuned to the next Divine call, and always ready to obey. At the other end of this trial shall obviously be those who fail to see this essential reality of obedience, who take to a particular Shari'ah and Book as closed objectives of life giving it the uncompromising status of ancestral religion as a result of which they choose not to pay any attention to any Divine command.

Great wisdom lies in this difference among Shari'ahs. This is the channel through which every section of the human community of any time is taught the reality behind genuine 'Ibādah (worship) and the reality behind human servitude to God. The message given is that the

reality of *Ibādah* (acts of worship) lies in being an 'Abd, a servant, and in obeying and following - which does not depend on Ṣalāh, Ṣawm, Ḥajj, Zakāh or Dhikr of Allah or Tilawah of the Qur'an - nor are these acts of worship an end by themselves. Instead of that, they all have one single purpose behind them: Obedience to the Command of Allah. This is the reason why times during which Ṣalāh is prohibited, offering Ṣalāh at those times does not bring any reward. On the contrary, it becomes a source of sin. During the days of the two 'Īds, the 'Īdul-Fiṭr and the 'Īdul-Adḥā, when fasting is forbidden, it becomes a sin to fast at that time. Other than the ninth of the month of Dhil-Ḥijjah, gathering in the plain of 'Arafāt on any day or month to pray and worship is no reward-worthy act while on the ninth of Dhil-Ḥijjah, this is the greatest *Ibādah* on the plain of 'Arafāt. The same rule applies to all other acts of worship. Done when asked to do, they are *Ibādah*. But, when they are stopped at a certain limit, they too become Ḥarām, unlawful and impermissible. Ignorant people are usually not aware of this reality. 'Ibādāt which become their habit, rather, national customs which they get used to as if they were 'Ibādāt, then, they would ignore even open commands from Allah and His Messenger. This is from where sprout the seeds of innovations and deviations (*Bid'at* and *Muḥaddathāt*) in established religion which, with the passage of time, become attached to it as if they were a part of it while they are not. This has been the major cause of alterations in past Shari'ahs and Books. By sending different Books and Shari'ahs to different prophets, Allah *Jalla Sha'nuhū* has taught human beings the lesson that they should not take one mode of action or one mode of worship as their primary objective. They should, instead, become obedient servants of Allah in its most desirable sense on the strength of which they should be able to instantly leave what they were doing earlier, as and when asked to do so. And, conversely, they should immediately be ready to do whatever they are asked to do.

Other than this, yet another wisdom behind this difference in Shari'ahs is that since tempers and tastes of human beings from every period and section of the world are different, the variation in the time frame affects human disposition considerably. If subsidiary injunctions were to be made identical for everyone, human beings would be in deep trouble. Therefore, it was the dictate of Divine wisdom that

appropriate change be made in subsidiary injunctions with due consideration of the response patterns of the people of different tastes and times. Here, the religious terminology of Abrogator (*Nāsikh*) and Abrogated (*Mansūkh*) does not mean that the Law Giver did not know conditions before and gave one law - and when new circumstances prevailed it was abrogated - or the earlier law was promulgated by mistake or lack of attention but was changed on later recollection. This is not the way it is. The *Nāsikh* and *Mansūkh* are just like the prescription of a doctor or physician where a change in medicines appears gradually since the doctor or physician knows in advance that a certain symptom will show up in the patient after he or she has used the initially prescribed medicine for three days which then will be the time to prescribe a certain other medicine. So, when he cancels his earlier prescription and replaces it with a new one, it will not be correct to say that the previous prescription was wrong and for that reason it was cancelled. Instead, the truth of the matter is that this very prescription was correct and necessary for use during the initial days of sickness - and under later conditions, the same second prescription is correct and necessary.

A Summary of Subsidiary Injunctions

1. We know from the initial verses that the case brought to the Holy Prophet صلى الله عليه وسلم by the Jews was decided by him. The decision was in accord with the Shari'ah of the Torah. This proves that the religious injunctions in force in the previous Shari'ahs remain in force until abrogated by the Holy Qur'an or Divine Revelation as it was in the cases of the Jews where the injunction concerning equality in Qisās (Law of Retaliation) and stoning to death (*Rajm*) in punishment of adultery (*Zinā*) was there in the Torah as well. Then, the Qur'an too retained it as it was.

2. Similarly, in the second verse (45), the injunction of Qisās about the Retaliation for Wounds which has been mentioned with reference to the Torah was enforced in Islam by the Holy Prophet ﷺ. On this basis, the rule of procedure with the majority of the 'Ulamā of Islam is that injunctions of previous Shari'ahs which have not been abrogated by the Qur'an are valid, enforcable and obedience-worthy in our Shari'ah too. That is why, in the cited verses, the people of the Torah have

been asked to decide, judge and obey in accordance with the Torah and the people of the Injīl have been asked to decide, judge and obey in accordance with the Injīl - though both these Books and their Shari'ahs stand abrogated after the appearance of the Holy Prophet ﷺ. The outcome is that the injunctions of the Torah and Injīl which were not abrogated by the Qur'ān are obedience-worthy even today.

3. The third injunction which stands proved from these verses is that ruling contrary to the injunctions revealed by Almighty Allah is Kufr (disbelief in and rejection of Faith) under some conditions specially when it is combined with belief in its being not true. And under some conditions, it is *Zulm* (injustice) and *Fisq* (disobedience, sin) - when belief-wise, one does accept them as true, but, in practice, does what is contrary to it.

4. The fourth injunction which appears in these verses is that taking bribe is absolutely Hārām (unlawful) - specially, the taking of bribe in a judicial case, which is far too grave.

5. The fifth injunction which emerges clearly from these verses is that all prophets, may peace be upon them, and their Shari'ahs agree in principle, but there is that difference in minute and subsidiary injunctions with them - a difference which is based on considerations of great wisdom.

Verses 51 - 58

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا الْيَهُودَ وَالنَّصَارَىٰ أَوْلِيَاءَ ۚ
بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ ۚ وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَإِنَّهُ مِنْهُمْ ۗ إِنَّ اللَّهَ
لَا يَهْدِي الْقَوْمَ الظَّالِمِينَ ﴿٥١﴾ فَتَرَى الَّذِينَ فِي قُلُوبِهِمْ مَرَصٌ
يُسَارِعُونَ فِيهِمْ يَقُولُونَ نَخْشَىٰ أَنْ تُصِيبَنَا دَآئِرَةٌ ۚ فَعَسَى
اللَّهُ أَنْ يَأْتِيَ بِالْفَتْحِ أَوْ أَمْرٍ مِّنْ عِنْدِهِ فَيُصْبِحُوا عَلَىٰ مَا
أَسْرَوْا فِي أَنْفُسِهِمْ نَادِمِينَ ﴿٥٢﴾ وَيَقُولُ الَّذِينَ آمَنُوا أَهْلُو لَاءِ
الَّذِينَ أَقْسَمُوا بِاللَّهِ جَهْدَ أَيْمَانِهِمْ ۖ إِنَّهُمْ لَمَعَكُمْ ۚ حَبِطَتْ
أَعْمَالُهُمْ فَاصْبِرُوا خَيْرَ مِّنْ ﴿٥٣﴾ يَا أَيُّهَا الَّذِينَ آمَنُوا مَنْ

يَزِيدُ مِنْكُمْ عَنْ دِينِهِ فَسَوْفَ يَأْتِي اللَّهُ بِقَوْمٍ يُحِبُّهُمْ
وَيُحِبُّونَهُ أَذِلَّةٌ عَلَى الْمُؤْمِنِينَ أَعِزَّةٌ عَلَى الْكَافِرِينَ يُجَاهِدُونَ
فِي سَبِيلِ اللَّهِ وَلَا يَخَافُونَ لَوْمَةَ لَائِمٍ ذَلِكَ فَضْلُ اللَّهِ
يُؤْتِيهِ مَنْ يَشَاءُ وَاللَّهُ وَاسِعٌ عَلِيمٌ ﴿٥٤﴾ إِنَّمَا وَلِيُّكُمُ اللَّهُ
وَرَسُولُهُ وَالَّذِينَ آمَنُوا الَّذِينَ يُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ
وَهُمْ رَاكِعُونَ ﴿٥٥﴾ وَمَنْ يَتَوَلَّ اللَّهَ وَرَسُولَهُ وَالَّذِينَ آمَنُوا فَإِنَّ
حِزْبَ اللَّهِ هُمُ الْغَالِبُونَ ﴿٥٦﴾ يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا
الَّذِينَ اتَّخَذُوا دِينَكُمْ هُزُؤًا وَلَعِبًا مِمَّنْ الَّذِينَ أُوتُوا الْكِتَابَ
مِنْ قَبْلِكُمْ وَالْكَافَّارَ أَوْلِيَاءَ وَاتَّقُوا اللَّهَ إِنَّ كُنُتُمْ مُؤْمِنِينَ
﴿٥٧﴾ وَإِذَا نَادَيْتُمْ إِلَى الصَّلَاةِ اتَّخَذُوهَا هُزُؤًا وَلَعِبًا ذَلِكَ
بِأَنَّهُمْ قَوْمٌ لَا يَعْقِلُونَ ﴿٥٨﴾

O those who believe, do not take the Jews and Christians for intimate friends. They are friends to each other. And whoever takes intimate friends from them, he is one of them. Surely, Allah does not take the unjust people to the right path. [51]

Now, you see those who have disease in their hearts race towards them saying, "We apprehend that some misfortune may overtake us." So, it is likely that Allah may bring victory or a command from His own side, whereupon they become regretful over what they concealed in their hearts. [52]

And those who believe will say, "Are these the ones who swore by Allah on emphatic oaths that they were with you?" Their deeds have gone waste; hence they became losers. [53]

O those who believe, whoever of you turns back from his Faith, then, Allah shall bring a people whom He loves and who love Him, soft on the believers, hard on the disbelievers, who fight in the way of Allah and are

not afraid of the reproach of any critic. That is a grace of Allah. He confers it on whom He wills. And Allah is All-Embracing, All-Knowing. [54]

Your only friend is Allah, and His Messenger, and those who believe - those who establish *Ṣalāh* and pay *Zakāh* and bow before Allah. [55] And whoever takes to friendship with Allah and His Messenger and those who believe, then, the people of Allah are the ones to prevail. [56]

O those who believe, do not take as friends those who have taken your Faith in jest and fun, those who have been given the Book prior to you, and the disbelievers. And fear Allah, if you are believers. [57]

And when you call for *Ṣalāh*, they take it in jest and fun. That is because they are a people who do not understand. [58]

Explanation in Brief

The verses cited above take up three important subjects which are the basic principles of unity among Muslims as a collectively organized community.

1. Muslims can deal with non-Muslims in the spirit of tolerance, sympathy, goodwill, equity, justice, favour and kindness, almost everything within that line of conduct. In fact, they should do that for they have been taught to do that. But, what is not permitted is the kind of fast friendship and indiscriminating intimacy which may garble the distinctive hallmarks of Islam. This is the issue known as the '*Tark al-Muwālāt*' to refrain from deep (friendship) in Islamic terminology.

2. The second principle stressed upon is that should the Muslims of any time and place shift away from the first principle stated above and develop an intimacy of this nature with non-Muslims, then, let them not be under the impression that their conduct could harm Islam in any manner whatsoever - because Allah Almighty has Himself taken the responsibility of seeing that Islam remains duly protected. It cannot be eliminated by anyone. However, if a set of people still go out of their minds, break the limits of Islamic modality of doing things and, let us presume, decide to leave the very pale of Islam, then, Allah Ta'ālā will bring in another set of people who will uphold and establish

the principles and laws of Islam.

3. Once we know the positive and negative aspects in perspective, it becomes evident that the real friendship of a Muslim - deep, intense, profound and reliance-worthy - can only be with Allah, the Highest of the high, His Messenger, and with those who believe in them.

After this brief introduction of the subject, we can now move to the detailed explanation of the verses.

Commentary

In the first verse (51), Muslims have been commanded not to enter into "Muwālāt" (deep friendship) with Jews and Christians as is the customary practice of non-Muslims in general and, of Jews and Christians in particular, who reserve deep friendship for their own people only. They do not deal with Muslims at the same wave length.

After this clear instruction, should a Muslim do otherwise and enter into an intimate friendship with a Jew or Christian, then, in the sight of Islam, he is fit to be counted as one of them - and not as a Muslim.

The Background of Revelation

Reporting from 'Ikrimah, Ibn Jarīr has said that this verse was revealed in the background of a particular event. After the Holy Prophet ﷺ had settled in Madīnah, he had entered into a treaty with Jews and Christians living nearby which required that they would neither fight against Muslims nor help any other tribe at war with them, rather, they would join Muslims to fight against them. Similarly, Muslims will not fight them nor help anyone against them, rather, would defend them against the aggressors. For some time, both parties kept adhering to the treaty. But, the Jews could not observe the terms of the treaty any longer because of their conspiratorial nature and anti-Islam temperament. They made a secret deal with the pagans of Makkah against Muslims and wrote them a letter inviting them to their fortress. When the Holy Prophet ﷺ came to know about this conspiracy, he despatched a posse of Mujāhidīn to confront them. These Jews from Banū Qurayzah were, on the one hand, conspiring with the disbelievers of Makkah, while on the other, having infiltrated among Muslims, they had succeeded in making pacts of friendship with many of

them. This was their front of spying for the disbelievers of Makkah against Muslims. Revealed thereupon was this verse which stopped Muslims from indulging in deep friendship with Jews and Christians, so that they could be deprived of having access to sensitive information about Muslims. At that time, some noble Companions, including Sayyidnā 'Ubadah ibn Ṣāmit, openly announced the cancellation of their treaty obligations as well as their support for abandonment of any close friendship in the future. As for the hypocrites who had their pragmatic relationship with Muslims, or people whose hearts had yet to taste the sweetness of genuine faith, they apprehended dangers in breaking relationships with Jews and Christians lest the conspiracy hatched by the disbelievers and the Jews succeeded and Muslims were overpowered in which case it would be necessary that they keep their relationships balanced bothways to avoid any problems for them later on. It was on this basis that 'Abdullāh ibn Ubaiyy ibn Salūl had said that he saw danger in cutting off relationship with these people and, therefore, he cannot do that. Revealed thereupon was the second verse (52):

فَعَرَى الَّذِينَ فِي قُلُوبِهِمْ مَرَضٌ يُسَارِعُونَ فِيهِمْ يَقُولُونَ نَخْشَى أَنْ تُصِيبَنَا دَائِرَةٌ،

Now, you see those who have disease in their hearts race towards them saying, "We apprehend that some misfortune may overtake us."

It means that after hearing the religiously binding injunction of the abandonment of close friendships, people who have the disease of hypocrisy in their hearts started racing towards their disbelieving friends saying that cutting off relationships with these people is dangerous for them.

Answering them, Almighty Allah said:

فَعَسَى اللَّهُ أَنْ يَأْتِيَ بِالْفَتْحِ أَوْ أَمْرٍ مِنْ عِنْدِهِ فَيُصِيبُكُمْ عَلَى مَا أَسْرَأْتُمْ فِي أَنْفُسِهِمْ يُذَمِّينَ

So, it is likely that Allah may bring victory or a command from His own side, whereupon they become regretful over what they concealed in their hearts.

It means that these people are under the impression that the disbelievers and the Jews will overcome Muslims. But, Allah has decided that it will not happen. Rather, close is the conquest of Makkah. Or, even before the conquest of Makkah, Allah may, by exposing the hypocrisy of the hypocrites, put them to disgrace. Then, at that time, these people will regret thoughts they had concealed.

This has been clarified further in the third verse (53) where it was said that once the hypocrisy of the hypocrites has been exposed and the reality behind their claims and oaths of friendship comes out in the open, Muslims would wonder if those were the people who used to assure them with sworn claims of their friendship and there they were all ruined as everything they did just to pretend had gone to waste. That Allah *Jalla Sha'nuhū* has mentioned the conquest of Makkah and the disgrace of the hypocrites in these verses was something which everyone saw only after a few days with their own eyes.

The fourth verse (54) tells us that the prohibition of intimate friendship and inter-mingling with non-Muslims is for the good of Muslims themselves. Otherwise, Islam is the particular religion the responsibility to protect which has been taken by Almighty Allah Himself. The crookedness or disobedience of an individual or group is self-destruct in its place. However, should some individual or group from among Muslims were to really abandon Islam itself, turn into an apostate (*Murtadd*) totally and become a part of non-Muslims, even that too could bring no harm to Islam because Allah who is Absolutely Powerful is responsible for its protection and He will immediately bring in some other nation into action which will carry out the duties of protecting and spreading the *Dīn* of Allah. Things He must do depend neither on an individual nor on the largest of the large party or institution. When He so wishes, He can make straws work for beams and logs, otherwise beams and logs sit in forests turning into compost anyway. As referred to elsewhere in this Commentary, how well this was put in an Arabic couplet:

إِنَّ الْمَقَادِيرَ إِذَا سَاعَدَتْ
الْحَقِّقَتِ الْعَاجِزَ بِالْقَادِرِ

When Divine decree helps - it can make the meak overtake the mighty.

When it was said in this verse that should Muslims become apostates, it does not matter, for Allah will make another set of people rise to take their place, then, right there, some virtues of this set of people have also been enumerated saying clearly that they can be marked out by such and such distinguishable qualities. Those engaged in the service of their religion should keep these qualities foremost in their minds because these verses tell us that people who have such quality and character are welcome and dear in the sight of Almighty Allah.

1. Their first quality identified by the Holy Qur'ān is that Allah will love them and they will love Allah. There are two parts to this quality. The first one is the love of these people for Almighty Allah. This could be taken, in one or the other degree, within one's control since one can, even if one does not love someone emotionally or naturally, at least make his intention and determination to work for him in loving intellectually. And even emotional or natural love is though not in one's control, yet its causes are, for instance, the meditation of the greatness and majesty of Almighty Allah, the conception of His most perfect power and the recapitulative survey of His authorities and blessings over human beings. This would definitely generate even natural love for Almighty Allah in the heart of a man or woman.

But, as far as the other part is concerned, that is, the love of Allah will be with these people, it obviously seems to indicate that this is a matter where human choice and action play no role. So, what is beyond our control and choice hardly warrants a description and is obviously fruitless - one may be tempted to wonder.

But, by pondering over some other verses of the Holy Qur'ān, one will discover that the causes of this part of love too are within human control. If someone uses these means, the love of Allah will necessarily be with him or her. Those means of achieving this end have been mentioned in the verse of the Qur'ān which appears in Sūrah 'Āl-'Imran: اللَّهُ قَالَ تَبِعُونِي يُحْبِبْكُمُ اللَّهُ (Say [O Prophet], "If you do love Allah, follow me; Allah shall love you" ... 3:31).

This verse tells us that one who wishes to have Allah love him or her should make the Sunnah of the Holy Prophet صلى الله عليه وسلم the very pivot of life and develop a committed habit of following Sunnah in whatever one does in each and every department of one's life. If so,

the promise of Allah is there - He will love that person. And this very verse also tells us that the only group of people which can stand up and meet the challenge of Disbelief and Apostacy (Kufr and Irtidād) shall be the group of people which follows the Sunnah conscientiously and habitually - neither falling short in obedience to the injunctions of the Shari'ah, nor initiating and introducing on their own, deeds contrary to the Sunnah.

2. The second quality of this group has been identified as: *أَدِلَّةٌ عَلَى* الْمُؤْمِنِينَ أَعِزَّةٌ عَلَى الْكَافِرِينَ (...soft on the believers, hard on the disbelievers ...). Here, the word: '*adhillah*' could be, as explained in Qāmūs, the plural of both *dhalīl* or *dhalūl*. *Dhalīl* means low or despicable while *dhalūl* means soft and tractable, that is, easily controlled, docile. According to the majority of commentators, this is the meaning of '*adhillah*' at this place, that is, these people will be soft with Muslims. Even in matters of dispute, they can be controlled and mollified easily. They would set the dispute aside, even if they are right in it - as said by the Holy Prophet صلى الله عليه وسلم in an authentic *ḥadīth*: *أَنَا زَعِيمٌ بِبَيْتٍ فِي رِضْوَانِ الْجَنَّةِ لِمَنْ تَرَكَ الْمِرَاءَ*; that is, 'I am the guarantor of a home in the middle of Paradise for one who abandons dispute despite being in the right.' Thus, the essential meaning of this word comes to be that these people will have no dispute with Muslims in matters relating to their rights and dealings.

The second word is '*a'izzah*' in: *أَعِزَّةٌ عَلَى الْكَافِرِينَ* (hard on the disbelievers). Here too, '*a'izzah*' is the plural of '*Azīz*' which means dominant, strong and hard. So, the sense is that these people are hard and strong against the enemies of Allah and His *Dīn* who would be unable to control or manipulate them. Now, by combining both sentences we can arrive at the essence of the statement - that this will be a set of people whose love and hate, friendship and enmity will be, not for their person or their rights and dealings, but only for Allah, His Messenger and His *Dīn*. Therefore, when comes the time to fight, it will not be against the obedient servants of Allah and His Messenger, instead of that, it would be against those who are hostile and disobedient to Allah and His Messenger. The same subject appears in a verse of Sūrah Al-Faṭḥ where the words are: *أَشِدَّاءُ عَلَى الْكُفَّارِ رُحَمَاءُ بَيْنَهُمْ* (severe against disbelievers, merciful between themselves - 48:29).

3. The essence of the first quality was the most perfect fulfillment of the rights of Allah, and the essence of the second quality was moderation in the fulfillment of the rights of the servants of Allah by remaining accomodating in dealings. Now, the third quality of these people mentioned here is: *يُجَاهِدُونَ فِي سَبِيلِ اللَّهِ* that is, they shall keep carrying out Jihād to spread and establish the True Faith. In essence, it means that fighting against forces of disbelief and apostacy is no easy task. In this confrontation, traditionally known devotion to worship in seclusion or a simple softness or hardness of attitude is not enough. Also necessary here is a feeling and fervour for the mission of establishing *Dīn*.

4. To ensure that this feeling and fervor achieves its desired perfection, the fourth quality of these people has been identified as: *لَا يَخَافُونَ كُوفَةً لَّيْسَ* that is, they will not care for any blame, censure or derogatory criticism directed against them while they are engaged in their efforts to upraise the true word of Allah and establish His *Dīn*. A little reflection will show that the leader of a movement usually faces two types of impediments in his efforts which are the power of the adversary and the vilification of his own people. Experience bears out that people who lead a movement resolutely would stand firm against any adversary, even go through arrests, jail sentences, beatings and tortures, yet, when it comes to facing blames and vilifications from their own people, even the most determined leaders tend to falter. Perhaps, it is to stress the importance of this trying situation at this place, that Allah Almighty has considered it sufficient to say that these people go on with their Jihād without taking notice of any blames directed against them.

Finally, towards the end of the verse (54), it was added that these good qualities of character are nothing but rewards from Almighty Allah. It is He who gives them to whom He wills. A human being cannot acquire these by dint of his own effort and deed without Divine grace.

The *Fitnah* of Apostacy

Through the explanation of the words of this verse, it has already been clarified that the incidence of some from among Muslims turning into apostates will not harm Islam as a religion because Allah will

raise a set of people with high morals and superior deeds who would defend and support it. However, the majority of commentators have dwelt further on the *Fitnah* (trial) of Apostacy (*Irtidād*). According to them, this verse is actually a prophecy of this Trial and at the same time a good news for the group of people who will fight against it and eliminate it successfully. This coming *Fitnah* of Apostacy was a serious problem the germs of which had already started spreading towards the latermost period of Prophethood. But, after the departure of the Holy Prophet صلى الله عليه وسلم from this mortal world, this became an epidemic spreading all over the Arabian Peninsula. The group blessed with the good news was that of the noble Companions who confronted this onslaught of Apostacy under the command of the first Khalīfah of Islam, Sayyidnā Abū Bakr Al-Ṣiddīq رضى الله عنه .

Chronologically, Musaylimah al-Kadhḥāb (the Liar) was the first to claim prophethood alongwith the Holy Prophet صلى الله عليه وسلم and was so audacious that he returned his emissaries back with the threat that he would have killed them had it not been for the protocol which prohibited killing of envoys and emissaries. Musaylimah was a liar in his claim. The Holy Prophet صلى الله عليه وسلم did not get the time to wage *Jihād* against him and he left this mortal world.

Similarly, Aswad al-'Ansi, the chief of the tribe of Mudhḥaj in Yaman announced his prophethood. The Holy Prophet صلى الله عليه وسلم ordered the Governor of Yaman appointed by him to fight against him. But, the very next day after the night he was killed, the Holy Prophet ﷺ departed from this mortal world. The news about his being killed reached the noble Companions at the end of Rabi' al-Awwal. Another event like this was reported concerning the tribe of Banū Asad whose chief, Ṭulayḥah ibn Khuwaylid laid a claim to his own prophethood.

Groups from these three tribes had turned Apostates during the last sickness of the Holy Prophet صلى الله عليه وسلم. The news of his passing away took the lid out of this storm of Apostacy. Seven tribes of Arabia from different places turned against Islam and its legal authority. They refused to pay *Zakāh* as required by Islamic law to the Khalīfah of the time, Sayyidnā Abū Bakr Al-Ṣiddīq رضى الله عنه .

After the passing away of the Holy Prophet صلى الله عليه وسلم, the responsibility of the country and the community fell on the shoulders of

Sayyidnā Abū Bakr Al-Ṣiddīq رضى الله عنه . There was the great shock on the one hand, and the flood of trials and rebellions on the other. Sayyidah 'Ā'ishah رضى الله عنها says that the shock faced by her father, Sayyidnā Abū Bakr, after the passing away of the Holy Prophet ﷺ, was so great that had it fallen on high mountains they would have been reduced to powder. But, Almighty Allah had blessed him with the high station of patience and fortitude by virtue of which he fought against all odds with full determination and courage, and did succeed finally.

Rebellion, as obvious, can be quashed by use of force only. But, conditions had reached a point of danger and Sayyidnā Abū Bakr went into consultation with the noble Companions. None of them approved of a hardline against rebellions. The danger was: If the Companions were to be committed to internal warfare, foreign powers would run over their new Islamic country. But, Allah Almighty made the heart of His 'True one' strong and settled for Jihād. He gave an eloquent Khutbah before the Companions of the Holy Prophet ﷺ which opened up their hearts too in favour of Jihād. The power and perfection of his determination and fortitude is reflected through his words:

"People who, after they have become Muslims, turn back and reject the injunctions given by the Holy Prophet ﷺ, and the Law of Islam, then, it is my duty that I should wage a Jihād against them. If, against me, they decide to bring along the combined force of all Jinns and human beings, and all trees and rocks of the world, all together, and I have no comrade in arms to support me, even then, I would, all by myself, put my neck on the stake and carry out this Jihād."

After having said this, he mounted his horse and started moving ahead. Then, the noble Companions, may Allah be pleased with them all, came forward and made Sayyidnā Ṣiddīq al-Akbar sit at his place. In no time, a battle plan was drawn with fronts assigned to different people and the time of their departure set for action.

Therefore, Sayyidnā 'Alī رضى الله عنه , Ḥasan al-Baṣrī, Ḍaḥḥāk, Qatādah and other Imāms of Tafsīr have said that this verse has been revealed about Sayyidnā Abū Bakr Al-Ṣiddīq رضى الله عنه . He was the first one of the promised people about whom it was said in this verse that they will appear to defend Islam at the command of Allah.

But, not contrary to this, is the possibility that some other group could also be included in the sense of this verse. Therefore, respected elders who have pointed out to Sayyidnā Abū Mūsā al-Ash'arī رضي الله عنه or other noble Companions as being included in the sense of this verse cannot be really taken as contrary to this suggestion. In fact, the most sound and safe position is to believe that all these blessed people, rather every single Muslim due to come right upto the Last Day of Qiya-mah, who will keep confronting disbelief and apostacy in accordance with the commands of the Qur'ān - they all shall be considered as included under the purview of this verse.

Let us now resume our description of how the moving exhortation of Sayyidnā Ṣiddīq al-Akbar made a group of Ṣaḥābah rise to the occasion and meet the challenge of this trial of Apostacy under the leadership of the first Khalīfah of Islam. Assigning an army of fighting men, he sent Sayyidnā Khālīd ibn Walīd to Yamāmah to fight against Musaylimah the Liar who had become very powerful in his area. The encounters were tough, but Musaylimah the Liar was ultimately killed at the hands of Sayyidnā Waḥshī, may Allah be pleased with him. His group repented and returned to the fold of Islam. Again, it was Sayyidnā Khālīd who went to fight against Tulayḥah ibn Khuwaylid. He escaped and went out to some other area. Then, Allah gave him the ability to repent and return to Islam once again. He came back as a Muslim.

The news that Aswad al-'Ansi had been killed and his group had surrendered had reached Madīnah toward the end of the month of Rabī' al-Awwal, the first month of the Ṣiddīqī Caliphate. This was the very first news of victory which reached Sayyidnā Ṣiddīq al-Akbar under such trying circumstances. So, from this point onwards, the noble Companions of the Prophet were also blessed with more clear victories on every front against other tribes which had refused to pay *Zakāh*.

Thus, the practical demonstration of the truth of the word of Allah mentioned towards the end of the fifth verse (56): **يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّكُمْ أَرْسَلْتُمُ النَّبِيَّ بِالْحَقِّ** (then, the people of Allah are the ones to prevail) was seen by the whole world. Speaking historically and objectively, it is a proven fact that the problem of Apostacy did affect some tribes of the Arabian Peninsula.

la after the passing away of the Holy Prophet ﷺ. Then, the group that Allah made to rise and fight against the challenge was that of Sayyidnā Ṣiddīq al-Akbar and his colleagues among the Ṣaḥābah. So, it also stands proved from this very verse that the qualities of the promised set of people given in the Qur'an were all present in Sayyidnā Ṣiddīq al-Akbar and the Ṣaḥābah with him. To restate these, we can say:

1. Allah loves them.
2. They love Allah.
3. They are soft with Muslims and hard against disbelievers.
4. Their Jihād was in the way of Allah in which they were not afraid of any blame.

Pointing out to the reality of realities, it was clearly stressed that all these high qualities of character, their timely use and the ultimate success in the Islamic expedition through them were things which are not achieved by simple reliance on planning or power or numbers. This is nothing but the grace of Allah. It is He who bestows this blessing upon whom He wills.

Marks of True Muslims

In the previous four verses discussed so far, Muslims have been forbidden to maintain intimate friendship with disbelievers. A positive approach has been taken in the fifth verse (55) where those with whom Muslims can have intimate friendship and special camaraderie have been identified. Mentioned first is Allah and then, His blessed Prophet, for Allah is - and He alone can be - the real friend, guardian and guide of a true Muslim, all the time and under all conditions. Other than the relationship with Him, every relationship and every friendship is perishable. As for the bond of fidelity to the Holy Prophet ﷺ is concerned, that too is, in reality, connected with Allah - and not separated. In the last sentence of the verse, the sincerest friends and fellows of Muslims have been identified as those who are true Muslims - not simply Muslims in name. They have three qualities which mark them out. These are:

الَّذِينَ يُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَهُمْ رَاكِعُونَ

Those who establish *Ṣalāh* and pay *Zakāh* and bow before Allah.

It means that they: (1) Fulfill the obligation of Ṣalāh punctually observing all etiquettes (*ʿĀdāb*) and conditions (*Sharāʾiʿ*) which must be observed in it; (2) Pay *Zakāh* out of their wealth; and (3) they are humble and modest and never become proud and arrogant over their good deeds.

The word, *Rukūʿ* in the concluding statement of this verse (55) : *وَمَنْ رُكِعُوا* translated as 'those who bow before Allah' could be taken in more than one sense. Therefore, some of the leading commentators have said that *Rukūʿ* refers to the functional *Rukūʿ* (bowing position) at this place - which is a basic element (*Rukn* : pillar) of Ṣalāh. And the sentence: *وَمَنْ رُكِعُوا* (and those who bow before Allah) has been placed after: *يُقِيمُونَ الصَّلَاةَ* (those who establish Ṣalāh) because the purpose is to distinguish the Ṣalāh of Muslims from the prayer offered by others. As for the essential prayer which Muslims call Ṣalāh is something the Jews and Christians also do, but it has no *Rukūʿ* in it. *Rukūʿ* is a distinctive element of the Islamic prayer known as Ṣalāh. (Maṣḥarī)

But, the majority of commentators says that *Rukūʿ* at this place does not mean the technical *Rukūʿ* of Ṣalāh. Rather, it means to bow, to be modest and humble in the lexical sense. Abū Ḥayyān in *Tafsīr al-Baḥr al-Muḥīṭ* and Al-Zamakhsharī in *Tafsīr al-Kashshāf* have gone by this meaning. The same view has been adopted in *Tafsīr Maṣḥarī* and *Tafsīr Bayān al-Qurʾān*. Thus, the meaning of this sentence comes to be that these people do not feel proud of their good deeds; their natural disposition is, rather, modesty and humility.

It appears in some narrations that this sentence has been revealed about Sayyidnā ʿAlī رضي الله عنه in the background of a particular event. It is said that Sayyidnā ʿAlī was busy making Ṣalāh on a certain day. When he bowed in *Rukūʿ*, someone needy turned up and asked for something. He, within that state of *Rukūʿ*, took out a ring from one of his fingers and tossed it towards him. He could have taken care of the need of this person after having finished his Ṣalāh, but he did not wish to make even that much of a delay in removing the need of a poor faqir. This act of 'racing towards good deeds' was pleasing in the sight of Almighty Allah and it was through this sentence that it was appreciated.

The *Sanad* or authority of this narration is a debated issue among

'*Ulamā* and *Muḥaddithīn*, but, should this narration be taken as correct or sound, it would essentially mean that deserving of the close friendship of Muslims are common Muslims who fulfill the obligations of *Ṣalāh* and *Zakāh* particularly and regularly - and among them, Sayyidnā 'Alī is specially more deserving of this friendship - as has been said by the Holy Prophet صلى الله عليه وسلم in another authentic *Ḥadīth*: مَنْ كُنْتُ مَوْلَاً فَعَلِيَ مَوْلَاً (To whomever I am a friend, then, 'Ali too is a friend of his) (narrated by Aḥmad, as in Mazharī). In yet another *ḥadīth*, the Holy Prophet ﷺ has been reported to have said: اَللّٰهُمَّ وَالِ مَنْ وَاَدَّ وُعَادِ مَنْ عَادَا (O Allah, befriend whoever befriends him and take as enemy whoever shows enmity to him).

Perhaps, Sayyidnā 'Alī رضى الله عنه has been blessed with this honour because the Fitnah to appear in the future was unveiled before him and he knew that there will be people who will nurse enmity with him and will not hesitate in even rising in rebellion against him - as it did happen during the uprising of the Khawārij.

Anyway, the revelation of the present verse - even if it is related to this event - is worded in a general sense which includes all Companions of the Prophet, and all Muslims. This is not particular to any one individual under a specific command. Therefore, when someone asked Sayyidnā Imām Bāqar: "Do the words: اَلَّذِيْنَ اٰمَنُوْا (those who believe) in this verse mean Sayyidnā 'Alī رضى الله عنه?" He said: "He too, as included under 'believers', is within the purview of this verse."

People of Allah shall prevail ultimately

The next verse (56) gives the good news that such people will overcome the world as come forward in obedience to the Qur'ānic injunctions given in this verse and stay away from forging close friendship with others by limiting themselves to taking Allah, His Messenger and those who have faith in them as their genuine friends. The words of the verse are:

وَمَنْ يَتَوَلَّ اللَّهَ وَرَسُولَهُ وَالَّذِيْنَ اٰمَنُوْا فَاِنَّ حِزْبَ اللّٰهِ هُمُ الْغٰلِبُوْنَ

And whoever takes Allah and His Messenger and those who believe as friends, then, the People of Allah, are the ones to prevail.

In other words, it is said here that those who obey the commands

of Allah are the People of Allah. Given to them is the good news that they will be the ones to finally overcome. The events which unfolded later on confirmed the veracity of this statement when everyone saw that the noble Companions, may Allah be pleased with them all, overcame all powers which threatened them. When internal rebellions challenged Sayyidnā Abū Bakr, Allah Almighty helped him prevail over all of them. When the towering powers of Ceaser and Cyrus marshalled their menacing might against Sayyidnā 'Umar al-Fārūq, Allah Almighty effaced them from the face of the earth. Then, as long as these injunctions were dutifully observed by the Khulafā' and Muslims at large who came after them - by abstaining from establishing close bonds of friendship with non-Muslims - they had always remained winners in the struggle of life.

The Prohibition of Friendship with those who make fun of Islam

In the sixth verse (57), Allah Almighty has again stressed upon the injunction mentioned in verse 51 at the beginning of the Section, the sense of which is that the Muslims should not seek close friendship with people who make fun of their religion. They can be divided in two groups: The People of the Book, that is, the Jews and the Christians; and the disbelievers and non-Muslims in general. In al-Baḥr al-Muḥīṭ, Imām Abū Ḥayyān says that the People of the Book were already included under the word, Kuffār or disbelievers, still, the People of the Book have been mentioned here particularly perhaps, because the People of the Book were, though, closer to Islam as compared with other disbelievers, yet, experience bears that very few from among them embraced Islam. This is the reason why a look into the statistics of those who embraced Islam after the age of prophethood and during the period later to it, will reveal that the majority of them were from among the common disbelievers. The number of those who became Muslims from among the People of the Book will be much lower.

Why would that be so? The reason is simple. The People of the Book take pride in being adherents to Divine Faith and Divine Scripture. This proud partisanship made them opt for not accepting the Truth. The attitude of mockery against Muslims was something that they displayed most. When mockery becomes wickedness, things

much lower can happen, as would be illustrated by an episode mentioned in the eighth (58) verse in the following words: وَإِذَا نَادَيْتُمُ إِلَى الصَّلَاةِ اتَّخَذُوهَا هُزُوًا وَلَعِبًا (And when you call for Ṣalāh, they take it in jest and fun). Tafsīr Mazharī, with reference to Ibn Abī Ḥatīm, reports the event itself by saying that there was a Christian in Madīnah al-ṭayyibah. When he heard the words : أَشْهَدُ أَنَّ مُحَمَّدًا رَسُولُ اللَّهِ (I testify that Muḥammad is the Messenger of Allah) in the *Adhān* (call for prayer), he used to say: أَخْرَقَ اللَّهُ الْكَاذِبَ (May Allah burn the liar). At last, this very remark made by him became the cause of his entire family burn to ashes. How this happened was commonplace. When he was sleeping, his servant entered the house with a little fire for some purpose. A speck from it flew out and fell down on some piece of cloth. When everybody was fast asleep, the speck had turned into a blaze and everybody was burnt to death.

The Tragedy of People who do not Understand

At the end of the verse (58), it was said: ذَلِكَ بِأَنَّهُمْ قَوْمٌ لَا يَعْقِلُونَ (That is because they are a people who do not understand). It means that the reason for their jest and fun being directed against what is True Faith could be no other but that they do not understand.

Qāḍī Thanāullāh of Panī Pat has said in Tafsīr Mazharī that Allah Almighty calls them devoid of understanding although their reason and intelligence in worldly matters is well known. From here we learn that it is possible that one could be very smart and quick-witted in certain kinds of jobs, but when it comes to doing some other things, he either does not use his mind or his mind does not work in that direction. Therefore, he turns out to be dumb in it, like one who does not understand. The Holy Qur'ān has referred to this subject in another verse as follows:

يَعْلَمُونَ ظَاهِرًا مِّنَ الْحَيَاةِ الدُّنْيَا وَهُمْ عَنِ الْآخِرَةِ هُمْ غَفُلُونَ

These people do know outward matters of the present life while they are heedless to the Hereafter. (30:7)

Verses 59 - 61

قُلْ يَٰٓأَهْلَ الْكِتَابِ هَلْ تَنْقِمُونَ مِنَّا إِلَّا أَن أَمَنَّا بِاللَّهِ وَمَا أُنزِلَ إِلَيْنَا وَمَا أُنزِلَ مِن قَبْلُ وَأَنَّ أَكْثَرَكُمْ فَاسِقُونَ ﴿٥٩﴾ قُلْ هَلْ

أَنِّيْكُمْ بِشِرِّ مِّنْ ذٰلِكَ مَثُوْبَةً عِنْدَ اللّٰهِ مِّنْ لَّعْنَةِ اللّٰهِ وَغَضَبِ
 عَلَيْهِ وَجَعَلَ مِنْهُمْ الْفِرْدَ وَالْخَنَازِيْرَ وَعَبَدَ الطَّاغُوْتِ اُولٰٓئِكَ
 شَرُّ مَّكَانًا وَّ اَضَلُّ عَن سَوَاءِ السَّبِيْلِ ﴿٦٠﴾ وَاِذَا جَاءُوكُمْ
 قَالُوْا اٰمَنَّا وَقَدْ دَخَلُوْا بِالْكُفْرِ وَهُمْ قَدْ خَرَجُوْا بِهِ وَاللّٰهُ اَعْلَمُ
 بِمَا كَانُوْا يَكْتُمُوْنَ ﴿٦١﴾

Say, "O People of the Book, do you accuse us only because we have believed in Allah and in what has been sent down to us and what has been sent down earlier, and because most of you are sinners?" [59]

Say, "Should I (not) tell you what is worse than that in its recompense with Allah? (The way of) the one whom Allah has subjected to His curse and to His wrath, and made some of them apes and swines, and who has worshipped the *Tāghūt* (Satan, the Rebel). Those are worse situated and far more astray from the straight path."

[60]

And when they come to you they say, "We have entered Faith" while they entered with disbelief and with it they went out. And Allah knows best what they used to conceal. [61]

Commentary

Referring to the Jews and Christians in: أَكْثَرُكُمْ فَسِقُوْنَ (most of you are sinners) at the end of the first verse, 'most' - not 'all'- of them have been declared to be outside the fold of Faith. The reason for this is that they did have people among them who remained believers under all conditions. Before the coming of the Holy Prophet صلى الله عليه وسلم, they followed the injunctions of the Torah and Injil and believed in them. When the Holy Prophet صلى الله عليه وسلم came and the Qur'an was revealed, they believed in him too and started following the injunctions of the Qur'an.

Consideration of the Addressee : A Principle of *Da'wah*

The condition of a people who were under the curse and wrath of Allah has been introduced through a similitude in the next verse (60)

which begins with : **فَلَمْ أَتَيْنُكُمْ** [Should I (not) tell you ...]. In fact, this condition applied to these very addressees. The occasion demanded that they should have been the ones to be directly charged with the blame. But, the Qur'an has changed the mode of direct address into the form of a similitude (to show consideration). This shows us a distinctive method of Da'wah (Call) as used by prophets, that is, never say things in a manner which makes the addressees angry.

Verses 62 - 63

وَتَرَى كَثِيرًا مِّنْهُمْ يُسَارِعُونَ فِي الْإِثْمِ وَالْعُدْوَانِ وَأَكْلِهِمُ
السُّحْتَ ۚ لَبِئْسَ مَا كَانُوا يَفْعَلُونَ ﴿٦٢﴾ لَوْ لَا يَنْهَاهُمُ الرَّبُّيُّونَ
وَالْأَحْبَارُ عَنْ قَوْلِهِمُ الْإِثْمَ وَأَكْلِهِمُ السُّحْتَ ۚ لَبِئْسَ مَا كَانُوا
يَصْنَعُونَ ﴿٦٣﴾

And you see many of them racing towards sin, and aggression, and their eating of the unlawful. Indeed, evil is what they have been doing. [62]

Why do the Men of the Lord and the Men of Knowledge not forbid them from their saying of the sinful and eating of the unlawful? Indeed, evil is what they have been doing. [63]

Commentary

The Moral Loss of Jews

In the first verse (62) cited above, mentioned there is the moral depavation and self-destructive attitude of many Jews so that people who know that may take a lesson and stay away from such deeds, as well as from causes that lead to them.

Though, this was generally the condition of Jews, but they also had some good people among them. It is to exclude them that the Qur'an has used the word: **كَثِيرًا** 'kathīran' (many). As for aggression and eating of the unlawful, these are though included under the sense of 'sin', yet they have been particularly mentioned, distinctly, in order to lay emphasis on the ruin these two kinds of sins bring on one and all. (Al-Baḥr Al-Muḥīṭ)

According to Rūḥ al-Ma'ānī, by using the expression 'racing towards sin' about these people, the Holy Qur'ān has given the hint that they are chronic subjects of these evil traits and the evil deeds they do have become fixed habits with them, so ingrained that they (automatically) move in that direction, even without intention.

This tells us that a good or bad deed when done many times repeatedly becomes a part and parcel of the inmost being of a person, almost a skill or drive or a fixed habit, after which, there remains no exertion or hesitation in doing what one does. This was the limit reached by Jews in pursuing their evil traits. To highlight it, it was said: مُسَارِعُونَ فِي الْإِثْمِ (They race towards sin). The same thing applies to prophets and men of Allah in the case of their good traits. About them too, the Holy Qur'ān has used the same expression when it says: مُسَارِعُونَ فِي الْخَيْرَاتِ (They race towards good deeds - 3:114).

The Correction of Deeds

Of those who have laid the greatest emphasis on the correction of deeds, the foremost are the respected Sūfīs (spiritual masters) and the men of Allah. These blessed souls have deduced from these very sayings of the Qur'ān the significant principle that all human deeds, good or bad, really come from ingrained habits and morals which ultimately become man's second nature. Therefore, when they wish to check, modify or dilute the recurrence of evil deeds, they keep these ingrained habits in sight. Thus, when they correct these, all deeds that issue forth start coming out right. Let us take the example of a person whose heart is overwhelmingly filled with greed for worldly acquisitions. As a result of this greed, he takes bribes, and devours income from interest, and if, given the opportunity, things could also reach the limits of theft and robbery. Instead of correcting these crimes separately, the spiritual masters use one masterly prescription which could cause the very foundation of these crimes razed to the ground - and that is the realization of the mortality of the world and the poisoned nature of its luxuries.

Similarly, if someone suffers from overweening pride or arrogance or anger, and he belittles or insults others, or quarrels with friends and neighbours, these blessed souls will use the same prescription, the prescription with ingredients of the concern for the life-to-come and

the fear of ultimate accountability before Almighty Allah. Once these start remaining in sight actively, such evil behaviour patterns die out automatically.

In short, this Qur'ānic indicator tells us that man has some ingrained traits which become his second nature. If these ingrained traits tilt towards good, good deeds issue forth on their own. Similarly, if the ingrained traits are evil, man starts running towards evil deeds automatically. To achieve a total correction of behaviour, the correction of these ingrained traits is necessary.

Are religious leaders responsible for the deeds of common people?

In the second verse (63), the Shaykhs and 'Ālims among the Jews have been sternly warned as to why would they not stop such people from evil deeds. At this place in the Qur'ān, two words have been used. The first word is: رَبَّانِيُونَ '*Rabbāniyyūn*', which means Men of Allah, that is, those who are intensely devoted to acts of worship and abstain from worldly temptations - commonly known as Derwish, Pīr or Shaykh. The second word used is '*Aḥbār*.' Religious scholars among Jews are called '*Aḥbār*.' This tells us that the real responsibility of the Qur'ānic injunction of *Al-Amr bil-Ma'rūf* (bidding the Fair) and *Nahy 'Anil-Munkar* (forbidding the Unfair) falls on these two groups, that is, on the Shaykhs and 'Ālims. However, some commentators have said that '*Rabbāniyyūn*' refers to 'Ulamā who have been appointed by Government and are fully authorized, while '*Aḥbār*' means the 'Ulamā in general. Taken in that sense, the responsibility of stopping people from committing crimes comes to fall on government officials and 'Ulamā both. Incidentally, this has been further clarified in some other verses as well.

For 'Ulamā and Mashāyikh - a Note of Warning

Towards the end of the verse (63), it was said: كَيْسَ مَا كَانُوا يَفْعَلُونَ : "Evil is what they have been doing" - which means that it is bad habit on the part of such religious leaders known as Mashāyikh and 'Ulamā that they have abandoned their cardinal duty of bidding the Fair and forbidding the Unfair. They see people ruining themselves and they do not stand up and stop them.

Commentators with knowledge and insight have pointed out that

at the end of the first verse (62) which mentioned the errors made by common people, what was said is: *لَيْسَ مَا كَانُوا يَعْمَلُونَ* (Evil is what they have been doing). But, in the second verse (63), where the Mashāyikh and 'Ulamā have been admonished for their failing, the concluding sentence used is: *لَيْسَ مَا كَانُوا يَصْنَعُونَ* "Evil is what they have been doing [by design]." The reason is that, according to the Arabic usage, the word, *فعل*: *fi'l* (that which is done) includes everything done, whether with intention, or without. But, the word, *عمل*: *Amal* (that which is acted upon) is applied to what is done particularly with intention and volition. As for the words, *صنع*: *Sana'a* and *صنعت*: *San'* at (that which is done by design) are concerned, they are applied when something is done with intention, and volition or choice, and that it is done repeatedly as a matter of habit and considered purpose both. Therefore, as a result of the evil done by common people, the word chosen was *Amal*, that is: *لَيْسَ مَا كَانُوا يَعْمَلُونَ* (Evil is what they have been doing). But, as a result of the wrong done by Mashāyikh and 'Ulamā particularly, the word selected was: *صنع*: *Sana'a*, as in: *لَيْسَ مَا كَانُوا يَصْنَعُونَ*: "Evil is what they have been doing [by design]." In this arrangement here, there may be a hint that the attitude of such religious leaders was false because they knew that if they were to stop their people, they would listen to them and, it was likely, that they would abstain from evil deeds. Yet, such is their greed for whatever offerings they may get from them, or such is their fear of losing the faith of their clients, that their hearts are not moved enough to stand up to defend and uphold the truth. This failing of theirs is far too grave than the evil doings of those evil doers.

The outcome is : If the people of a country get involved in sins and crimes, and their religious leaders know that they will listen and abstain if asked to stop, then, under such a condition, if they do not try to stop the flood of sins and crimes because of temptation, fear or apathy, their crime is more grave than the crime of real criminals and sinners.

Therefore, Sayyidnā 'Abdullāh ibn 'Abbās رضى الله عنه had said that a stronger warning for Mashāyikh and 'Ulamā does not appear anywhere in the entire Qur'an other than the one in this verse. The recognized authority in Tafsīr, Ḍaḥḥāk has said: In my view, this is the most frightening *Āyah* for Mashāyikh and 'Ulamā. (Ibn Jarīr & Ibn Kathīr)

The reason is that in the light of this verse, the failing of religious

leaders gets to be rated as far more serious than the actual crime committed by thieves and robbers and sinners (Refuge with Allah). However, it should be borne in mind that this stern warning stands operative in the situation when the Mashāyikh and 'Ulamā are reasonably certain that their appeal will be heard and accepted. But, under other conditions when prevailing trends or corresponding experience create a stronger likelihood that nobody is going to listen to them, rather, they may even have to face harm or hurt in doing so, the command is that their responsibility, no doubt, stands dropped, but, the conduct which still remains better and higher is that they should - whether heard or negated - go on doing their duty without bothering about any blame thrown or pain caused. This approach was identified earlier as well in verse 54 which highlighted one of the qualities of the Mujāhidīn in the way of Allah by saying: *وَلَا يَخَافُونَ كُومَةً لَّائِمٍ* that is, they are not afraid of any blame thrown at them by those who would blame anyone who speaks the truth.

It is useful to sum up the main elements of our discussion before we part with it by saying that Mashāyikh and 'Ulama, rather, all Muslims, once they know something to be sinful or against law, are duty-bound to check, stop or prohibit sin and crime, to the best of their ability - with their own hands or word of mouth or, at the least, with distaste of the heart or dislike of the attitude - of course, subject to the condition that the occasion lends to the possibility and stronger probability that they will be heard and their call will be entertained. But, should there be an occasion where stronger probability exists that they will not be heard or they will be subjected to hostility against them, then, that will be a different condition in which it will no more be obligatory on them that they must prohibit and stop people - but, it shall still remain the better and the higher form of conduct. All these details about the well known Qur'ānic maxim of Bidding the Fair and Forbidding the Unfair have been deduced from Ṣaḥīḥ *Aḥādīth*. We can say that, by placing the responsibility - of personally doing what is right and good, avoiding what is not, and inviting others too to do good and shun evil, - on Muslims at large, and on Mashāyikh and 'Ulamā in particular, Islam has given to the world a priceless principle of peace which, if practiced, could help nations after nations become easily cleansed of all sorts of evils which afflict them.

The Method of Community Correction

As long as Muslims adhered to this principle right through the early and later centuries of Islam, they held a position of universal distinction in terms of knowledge, deed, morals and character. Once Muslims ignored this duty, started taking the prevention of crime as the sole responsibility of the government and its law-enforcing agencies and withdrew from their role in it, the result that came out was no secret. It is there for everyone to see. Here you have a father, a mother, the whole family, all religiously observing and fully adhering to the Shari'ah. But, their children and their family circle are different, almost their reverse. They think and feel otherwise. They do things differently. It is for this reason that the mission of Bidding the Fair and Forbidding the Unfair has been particularly stressed upon in the Qur'an and Hadith as the surest method of any collective reform in the Muslim Ummah. The Holy Qur'an has identified this mission as a unique distinction of the Ummah of the Prophet of Islam ﷺ. And it has also declared that any contravention of this rule shall be a grave sin and a certain cause of punishment. In *Hadith*, the Holy Prophet ﷺ has said: When sins are committed among a people and there lives someone who does not stop them, then, not far is the likelihood that Allah sends a punishment to fall on all of them. (Al-Bahr al-Muhit)

Warning against Not hating Sins

Malik ibn Dīnār says: Allah asked his angels to destroy a certain town. The angels said that there lived in that town a devoted servant of His busy praying to Him. Came the command: Let him too taste the punishment because he never showed his anger against people disobeying Us and committing sins openly, not even with a sign of it on his face.

To Sayyidnā Yūsha' ibn Nūn عليه السلام, (Joshua) the Israelite prophet, Allah Almighty revealed that one hundred thousand of his people will be destroyed by a punishment. Of them, forty thousand were righteous and sixty thousand, evil. Sayyidnā Yūsha' said: O Lord, the ruin of the evil is obvious but why the good ones? It was said: The good ones had friendly relations with the bad ones. Together, they ate and drank and enjoyed life and never frowned on people sinning and disobeying their Creator. (Details of all these narrations can be seen in Al-Bahr al-Muhit)

Verses 64 - 67

وَقَالَتِ الْيَهُودُ يَدُ اللَّهِ مَغْلُولَةٌ غُلَّتْ أَيْدِيهِمْ وَلَعِنُوا بِمَا
 قَالُوا بَلْ يَدُهُ مَبْسُوطَةٌ يُنْفِقُ كَيْفَ يَشَاءُ وَلَئِنْ يَدُنْ كَثِيرًا
 مِنْهُمْ مَا أُنْزِلَ إِلَيْكَ مِنْ رَبِّكَ طُغْيَانًا وَكُفْرًا وَ أَلْقَيْنَا بَيْنَهُمُ
 الْعَدَاوَةَ وَالْبَغْضَاءَ إِلَى يَوْمِ الْقِيَمَةِ ط كُلَّمَا أَوْقَدُوا نَارًا
 لِلْحَرْبِ أَطْفَأَهَا اللَّهُ وَيَسْعَوْنَ فِي الْأَرْضِ فَسَادًا وَاللَّهُ
 لَا يَحِبُّ الْمُفْسِدِينَ ﴿٦٤﴾ وَلَوْ أَنَّ أَهْلَ الْكِتَابِ آمَنُوا وَاتَّقَوْا
 لَكَفَّرْنَا عَنْهُمْ سَيِّئَاتِهِمْ وَلَآ ذُخْلُنُهُمْ جَنَّتِ النَّعِيمِ ﴿٦٥﴾ وَلَوْ
 أَنَّهُمْ أَقَامُوا التَّوْرَةَ وَالْإِنْجِيلَ وَمَا أُنْزِلَ إِلَيْهِمْ مِنْ رَبِّهِمْ
 لَأَكْلُوا مِنْ فَوْقِهِمْ وَمِنْ تَحْتِ أَرْجُلِهِمْ ط مِنْهُمْ أُمَّةٌ مُقْتَصِدَةٌ
 وَكَثِيرٌ مِنْهُمْ سَاءَ مَا يَعْمَلُونَ ﴿٦٦﴾ يَا أَيُّهَا الرَّسُولُ بَلِّغْ مَا
 أُنْزِلَ إِلَيْكَ مِنْ رَبِّكَ ط وَإِنْ لَمْ تَفْعَلْ فَمَا بَلَّغْتَ رِسَالَتَهُ وَاللَّهُ
 يَعْصِمُكَ مِنَ النَّاسِ ط إِنَّ اللَّهَ لَا يَهْدِي الْقَوْمَ الْكَافِرِينَ ﴿٦٧﴾

And the Jews said, "Allah's hand is fettered." Fettered are their own hands, and cursed are they for what they said. In fact, His hands are well-extended. He gives as He wills. And what has been sent down to you from your Lord shall certainly increase many of them in rebellion and disbelief. And We have put enmity and hatred amongst them lasting to the Day of Doom. Whenever they lit the flame of war, Allah puts it out. And they run about on the earth spreading mischief. And Allah does not like the mischief-makers. [64]

And if the People of the Book had believed and feared, We would have written off their evil deeds and would have surely admitted them to the Gardens of Bliss. [65] And if they had upheld the Torah and the Injil and what had been sent down to them from their Lord, they would have surely had plenty to eat from above them and from beneath them. Among them are moderate

people. As for most of them, evil is what they do. [66]

O Messenger, convey all that has been sent down to you from your Lord. And if you do not, then, you have not conveyed His message (at all). And Allah shall protect you from the people. Surely, Allah does not take the disbelieving people to the right path. [67]

Sequence

Some conditions of the Jews were mentioned in the previous verses. More particular ones appear in the verses cited above, specially the ones identified with Nabbāsh son of Qays and Fenḥās, the chief of the Jewish tribe of Qaiynuqā' who uttered words of affront with reference to Almighty Allah, the description of which follows. Thereupon, the opening verse was revealed. (As in *Al-Lubāb*, from Sayyidnā ibn 'Abbās narrated by Al-Tabarānī and Abū Al-Shaykh)

Commentary

The first verse begins with the words: وَقَالَتِ الْيَهُودُ (And the Jews said). It mentions what was a grave offence and an utterly undignified remark for any human being to make. They were wretched enough to (God forbid) say that Allah's hand is tied up.

The background in which this was said was that Allah Almighty had given to the Jews of Madīnah extended means and money. But, when the Holy Prophet صلى الله عليه وسلم came to Madīnah, they heard the call of Islam, yet they remained unmoved because they were more interested in holding on to their communal hegemony and the money they received through offerings based on their self-perpetuating customs. So, they turned against what was the call of truth and took a hostile stand against the Holy Prophet صلى الله عليه وسلم himself. Then, as a punishment of this behaviour of theirs, Almighty Allah turned their affluent material circumstances into what was materially straightened for them - and they faced poverty. Thereupon, all frustrated and off-guard, they started uttering words to the effect that (God forbid) the Divine treasure seems to be running short or, perhaps, Allah has chosen to become miserly. It was in answer to them that it was said in this verse that the hands to be tied up will be their own hands who are saying what they are saying and cursed they shall be when punishment visits them in the Hereafter, and in the present world as well,

when it comes to them in the form of disgrace. As for the hands of Allah, they are always open and well-extended, and His generosity has been there since ever and shall remain for ever. But, He Himself is Independent, free of need, yet the master of all means. Then, along with this, He is Wise too. He gives and gives in His Wisdom. Means are extended for whom He wills in His Wisdom and means are straightened for whom He wills in His Wisdom.

After that, it was said that the people the Prophet of Islam is dealing with are contumacious people as they refuse to benefit from the open and clear words of the Qur'ān revealed to him, instead of which, their disbelief in and denial of the truth keeps getting more hardened. So, it is to keep Muslims safe from their evil designs that Allah has caused differences to crop up within their own sects because of which they would neither dare fight an open war nor would any conspiracy by them succeed. The failure to wage an open war has been mentioned in : **كُلَّمَا أَوْقَدُوا نَارًا لِّلْحَرْبِ أَطْفَأَهَا اللَّهُ** (Whenever they lit the flames of war, Allah puts it out) while the failure to hatch sinister conspiracies has been pointed out in: **يَسْعَوْنَ فِي الْأَرْضِ فَسَادًا** (And they run about on the earth spreading mischief).

Full obedience to the Divine Commands brings Blessings in This World Too

In verse 65, the Jews have been admonished that the people of the Torah and Injil have not derived any benefit from the guidance given therein nor from the teachings of the blessed prophets. Once involved in worldly greed, they ignored what was not to be ignored. As a result, they ran into straightened circumstances right here in this world as well. But, if they were to take to the ways of faith and godliness even now, Allah could forgive them their past sins and admit them to Gardens full of bliss.

How are Divine Commands carried out in Full?

Mentioned in verse 66 which begins with the words: **وَلَوْ أَنَّهُمْ أَقَامُوا التَّوْرَةَ** (And if they had upheld the Torah ...), are some details of the same faith and godliness for which worldly blessings have been promised in the previous verse (65). The detail is that they should, uphold the Torah, the Injil and the Holy Qur'ān revealed after them. The word used here does not refer to 'acting in accordance with these books'. Instead

of that, the word placed here is '*Iqāmah*' which means to establish, and to make something stand upright and straight. It signifies that their teachings can be carried out fully and correctly only when there is no increase or decrease or shortcoming in them. What is meant to stand straight must stand perfectly straight - established, not tilting.

The essence of the verse is that if the Jews were to believe in the guidance of the Torah, the Injīl and the Qur'ān, even today, and carry out their instructions fully, without failing to act properly, nor opting for excess and transgression by equating self-innovated things with established religion, then, they shall deserve the promised blessings of the Hereafter, and the doors of sustenance will be thrown open for them in the present world as well. It will come from above and it will come from beneath. 'Above' and 'beneath,' as obvious, mean sustenance which will be available easily and constantly. (Tafsīr Kabīr)

It will be noticed that the earlier verse (65) promised blessings only in the Hereafter. The present verse (66) extends the promise to cover worldly comforts as well. The reason for this may perhaps be that the Jews had taken to malpractices, particularly the practice of altering and distorting Scriptures because of their taste for the temporal and their insatiable greed for money. This became their main hurdle which had stopped them from obeying the Qur'ān and the Prophet of Islam despite that they had seen very clear signs of their veracity. They were scared at the idea that by becoming Muslims, their leadership role in the community will be all over. Also gone will be the offerings and gifts which they received as religious high-priests. It was to remove this kind of doubt or apprehension that Almighty Allah promised to them that if they take to believing truly and acting righteously, nothing will be decreased from their worldly wealth and comfort which would, rather, be increased.

Answer to a Doubt

Details given above also show that this particular promise was made to Jews who were present during the time of the Holy Prophet صلى الله عليه وسلم and were his direct addressees. If they had obeyed the command given to them, they would have had all sorts of blessings in the mortal world as well. So, those who took to the message of faith and good deed, they had these blessings in full - like Najāshī (Negus)

the King of Ethiopia and Sayyidnā 'Abdullāh ibn Salām رضى الله عنه. However, it is not necessary that for one who abides by faith and good deed, sustenance will be extended as a rule and, vice versa, for one who does not, sustenance will be straightened as a rule. The reason is that, at this place, the purpose is not to describe a general rule. This is a promise made to a particular group under particular conditions.

However, as far as the standard or general rule regarding faith and good deeds is concerned, the promise of the blessing of good and pure life is universal - but, that could either take the form of extended means of sustenance, or means which are outwardly constricted, as it has been with the blessed prophets and men of Allah not all of whom had extended sustenance all the time, but they all did have the purest of the pure life.

Justice was served when in the last verse (67), it was also added that the evil doings of Jews mentioned in the text do not apply to all Jews. Among them there were moderate people, people who were on the right path. But, the majority was evil doing. 'People on the right path' denotes people who were first Jews and Christians, then believed in the Qur'ān and the Holy Prophet صلى الله عليه وسلم and entered the fold of Islam.

Emphasis on *Tablīgh* and Comfort for the Prophet صلى الله عليه وسلم

In the present verses as well as throughout the previous two sections, there has been a continued description of the crookedness, waywardness, obstinacy and anti-Islam mechanizations of Jews and Christians. One natural effect it could have on the Holy Prophet صلى الله عليه وسلم was that he, being human, could feel disappointed or compelled by circumstances and, as a result of which, the process of *Tablīgh* or the very mission of prophethood might slow down or left lacking somewhere. The second effect could be that in the event he elected to devote single-mindedly to his call and mission as a prophet without caring for any hostility, enmity, harm or hurt, there was every likelihood that it could result in the worst of hardships at the hands of his adversaries. Therefore, in the last verse (67), the Holy Prophet صلى الله عليه وسلم was, on the one hand, emphatically commanded to convey everything revealed to him by Allah, all of it, without any hesitation, to the people. That someone likes or dislikes it, takes or rejects it, should not

worry him in his mission. Then, on the other hand, by giving the Holy Prophet صلى الله عليه وسلم the good news that all those disbelievers will be unable to bring any harm to him in his mission as a prophet for Allah will Himself protect him.

The sentence: وَإِنْ لَّمْ تَفْعَلْ فَمَا بَلَّغْتَ رِسَالَتَهُ : 'And if you do not, then, you have not conveyed His message [at all]' in this verse is worth pondering. This address to the Holy Prophet صلى الله عليه وسلم here means that if he failed to convey even one Divine command to the Muslim *Ummah*, he would not find himself absolved of the responsibility of prophethood. This was the reason why the Holy Prophet صلى الله عليه وسلم strived with his full courage and strength all his life to fulfill this heavy obligation placed on his shoulders. Muslims are familiar with the renowned *Khutbah* of the Holy Prophet صلى الله عليه وسلم during his Last Ḥajj, the great address which was not only the Constitution of Islam but also the last will and testament of an elementally lenient and merciful prophet who was far more affectionate and caring than a father and mother could ever be.

The parting will of the Holy Prophet صلى الله عليه وسلم on the occasion of the Last Ḥajj

In this *Khutbah* before a huge gathering of his noble *Ṣaḥābah*, after he had given important instructions to them, he asked the audience: أَلَمْ يَلْبِغْتُ (Listen: Have I conveyed your religion to you?). The *Ṣaḥābah* confirmed that he certainly had. Thereupon, he said: You be a witness on this. And along with it, he also said: فَكُنْ بَيْنَ الشَّاهِدِ الْغَائِبِ (that is, those present in this gathering should convey my message to those who are not here). Included among the absent are those who were present in the world at that time but were not present in the gathering itself - and also included are those who were yet to be born. The method of conveying the message to them was the spreading of the knowledge of the *Dīn* of Allah, a duty which was fulfilled by great efforts made by the *Ṣaḥābah* and the *Ṭabī'in*.

It was under the direct influence of this parting advice that the noble Companions, may Allah be pleased with them all, took the words and deeds of the Holy Prophet صلى الله عليه وسلم as a weighty trust of Allah and did their best to ensure that not a single sentence uttered by his blessed tongue should remain unconveyed to his *Ummah*. This holds

true under all normal conditions. However, if someone did not narrate a particular *Ḥadīth* before people for a special reason or compulsion, he made it a point to do that before his death by reciting it to at least some people around so that they could be relieved of the burden of trust they have been carrying on their shoulders. A similar event about a *Ḥadīth* from Sayyidnā Mu'adh رضى الله عنه has been reported in the Ṣaḥīḥ of al-Bukhārī, that is, اخبر به معاذ عند موته تائما that is, Sayyidnā Mu'adh recited this *Ḥadīth* at the time of his death so that he would not become a sinner because of his failure to convey this trust with him to others.

The Protection of Allah

In the second sentence of the last verse: وَاللَّهُ يَعْصِمُكَ مِنَ النَّاسِ (And Allah shall protect you from the people), good news has been given to him that his enemies would remain unable to do anything harmful against him despite their myriad demonstrations of animosity.

It appears in *Ḥadīth* that, before the revelation of this verse, some Companions generally used to stay around him in order to protect him. They guarded him wherever he was, in the city or in travel. After the revelation of this verse, he relieved them all as no security arrangements were needed anymore. Allah had Himself taken that responsibility.

In a *Ḥadīth* narrated by Sayyidnā Ḥasan, the Holy Prophet صلى الله عليه وسلم has been reported to have said: When I was charged with the duty of conveying the message of Allah as His prophet, the charge appeared to be very frightening because people around me were bound to falsify and oppose me. Then, as this verse was revealed, I was at peace. (Tafsīr Kabīr)

Thus, after the revelation of this verse, no one dared to harm the Holy Prophet صلى الله عليه وسلم during his efforts to spread the message of Islam as a prophet of Allah. Any casual injury received in *Jihād* battles is not contrary to this.

Verses 68 - 69

قُلْ يَٰٓأَهْلَ ٱلْكِتَٰبِ لَسْتُمْ عَلَىٰ شَيْءٍ حَتَّىٰ تُقِيمُوا ٱلتَّوْرَةَ وَ
ٱلْإِنْجِيلَ وَمَآ أُنزِلَ إِلَيْكُم مِّن رَّبِّكُمْ وَلَيَزِيدَنَّ كَثِيرًا مِّنْهُمْ مَّا

أُنزِلَ إِلَيْكَ مِنْ رَبِّكَ طُغْيَانًا وَكُفْرًا فَلَا تَأْسَ عَلَى الْقَوْمِ
الْكَافِرِينَ ﴿٦٨﴾ إِنَّ الَّذِينَ آمَنُوا وَالَّذِينَ هَادُوا وَالصَّابِئُونَ
وَالنَّصَارَى مَنْ آمَنَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَعَمِلَ صَالِحًا فَلَا
خَوْفٌ عَلَيْهِمْ وَلَا هُمْ يَحْزَنُونَ ﴿٦٩﴾

Say, "O people of the Book, you have nothing to stand unless you uphold the Torah and the Injil and what has been sent down to you from your Lord." And what has been sent down to you from your Lord will certainly increase many of them in rebellion and disbelief. So, do not grieve over the disbelieving people. [68]

Surely, those who believe, and those who are Jews, and the Sabians, and the Christians - whoever believes in Allah and the Last Day, and acts righteously, shall have no fear, nor shall they grieve. [69]

Sequence

Earlier, the people of the Book were persuaded to embrace Islam. Mentioned now is the futility of their current approach which they claimed to be the God's truth while it was unworkable in the sight of Allah, insufficient for salvation and dependant on Islam as the only source of salvation. Then, as an antidote to their insistence on remaining disbelievers after being warned, there are words of comfort for the Holy Prophet صلى الله عليه وسلم. The mention of *Tabligh of Dīn* had appeared in between as based on particular need and congruity.

Commentary

Follow the Divine Shari'ah : Instruction for the people of the Book

In the first verse (68), the people of the Book, that is, the Jews and Christians were instructed to follow the Divine Shari'ah by making it clear that they would be reduced to nothing if they chose not to abide by the injunctions of the Shari'ah. In other words, if they do not adhere to the Shari'ah of Islam, all their achievements shall stand wasted. To them Allah had given the privilege of being the progeny of prophets. Then, they had the intellectual excellence of the Torah and the Injil as well. Added to this was the presence of many men of Allah

among them who went through strenuous spiritual exertions in their search for truth. But, for all this to be valid and weighty the one binding condition was that they should follow the Divine Shari'ah. Without it, no geneological superiority will work, nor would their intellectual excellence or their spiritual strivings become the means of their salvation.

This statement provides for Muslims too the crucial guidance that there is no way of Dervishes or path of spiritual realization (*Sulūk & Tariqat*) or repeated strivings to achieve spiritual goals (*Mujāhadah* and *Riyāḍat*) or extra-sensory spiritual illumination (*Kashf*) or having visitations of inspiration (*Ilhām*) which can become the source of spiritual achievement or salvation in the sight of Allah unless there is full adherence to the Shari'ah.

To prove one's obedience to the Divine Shari'ah, the instruction given in this verse is to follow three things. These are the Torah and Injīl which had been revealed earlier for the Jews and Christians while the third one is: وَمَا أُنْزِلَ إِلَيْكُمْ مِنْ رَبِّكُمْ, that is, what has been revealed to you from your Lord.

According to the consensus of the majority of commentators, the Ṣaḥābah and the Tabi'īn, it means the Holy Qur'ān which was sent for the universal community of inviters to faith - including the Jews and Christians - through the (midmost) medium of the Holy Prophet صلى الله عليه وسلم. Therefore, the verse comes to mean 'unless you act in accordance with the injunctions brought by the Torah, the Injīl and the Qur'ān - correctly, fully and totally - no lineal or intellectual excellence of yours shall be valid or acceptable with Allah.'

At this point one may wonder why, in this verse, rather than mentioning Qur'ān by its brief name, as was done with the Torah and the Injīl, a long sentence : وَمَا أُنْزِلَ إِلَيْكُمْ مِنْ رَبِّكُمْ (and what has been revealed to you from your Lord) has been used. What is the wisdom behind it? It is possible that it may be carrying a hint to what was said by the Holy Prophet صلى الله عليه وسلم in which he disclosed that the way he was given the Qur'ān which is a treasure of knowledge and wisdom, also given to him were other sources of knowledge and insight, which could be called, in a certain aspect, the explication of the Holy Qur'ān as well. The words of the *Ḥadīth* are:

الا ائني اوتيت القرآن ومثله معه الا يوشك رجل شبعان على اربكته يقول عليكم بهذا القرآن فما وجدتم فيه من حلال فأحلوه وما وجدتم فيه من حرام فحرموه وان ما حرم رسول الله (صلى الله عليه وسلم) كما حرم الله . (ابوداؤد، ابن ماجه، دارمي وغيرها)

Remember! I have been given the Qur'ān and, with it, (many fields of knowledge) like it - lest, in times to come, some sated man reclining on his couch were to say: For you this Qur'ān is sufficient - what you find Ḥalāl in it, take that as Ḥalāl; and what you find Ḥarām in it, take that as Ḥarām - although, what the Messenger of Allah ﷺ has declared to be Ḥarām is like what Allah has declared to be Ḥarām. (Abū Dāwūd, Ibn Mājah, Dārimī & others)

Three Kinds of *Aḥkām*

The Qur'ān itself is a testimony of this subject. It says: وَمَا يُنْطِقُ عَنِ الْهَوَىٰ ۚ إِنْ هُوَ إِلَّا وَحْيٌ يُوحَىٰ which means that the Holy Prophet صلى الله عليه وسلم does not say anything on his own - whatever he says is all revealed to him from Almighty Allah; and under conditions when he says something based on his *Ijtihād* (fully deliberated judgement) and *Qiyās* (analogical deduction) - following which he receives no guidance contrary to it - then, consequently, that *Qiyās* and *Ijtihād* too hold the same legal force as that of an injunction revealed through *Waḥy*.

In a nutshell, we can say that, out of the injunctions (*Aḥkām*) given to the *Ummah* by the Holy Prophet صلى الله عليه وسلم, first come those which have been mentioned clearly in the Holy Qur'ān. Then, there are those which have not been mentioned in the Qur'ān clearly, instead of which, they were revealed to the Holy Prophet صلى الله عليه وسلم through a separate *Waḥy* (*Waḥy Ghayr Matlū*: Revelation not recited). Thirdly, the command which he gave as based on his *Ijtihād* and *Qiyās* - following which no command was revealed by Almighty Allah - then, that too takes the legal force of a revealed injunction. It is obligatory to follow all these three kinds of injunctions. They are included within the purview of : وَمَا أُنْزِلَ إِلَيْكُمْ مِنْ رَبِّكُمْ : (What has been revealed to you from your Lord).

It is also possible that the use of the longer sentence: وَمَا أُنْزِلَ إِلَيْكُمْ مِنْ رَبِّكُمْ (and what has been revealed to you from your Lord) in place of the likely brief name of Qur'ān in this verse may have been preferred so as

to indicate that the following of all injunctions given in the Qur'ān or given by the Holy Prophet صلى الله عليه وسلم is equally mandatory.

Another point worth noting in this verse is that the Jews and Christians have been asked to follow the injunctions of all three Books, that is, the Torah, the Injīl and the Qur'ān - although, some of them abrogate others. The Injīl abrogates some injunctions of the Torah and the Qur'ān abrogates many injunctions of the Torah and the Injīl. How then, could the sum of three be followed in action?

The answer is clear. Since every incoming Book changed some injunctions of the outgoing Book, it becomes obvious that following the replaced modality, in itself, amounts to acting in accordance with both Books. Following and acting in accordance with abrogated injunctions is against the requirement of both Books.

Allah consoles His Prophet

To console the Holy Prophet صلى الله عليه وسلم, it was said at the end that there will be many among the people of the Book who would fail to benefit by the Divine magnanimity shown to them. They may even react adversely by increasing the tempo of their disbelief and hostility.

Let this be no cause of grief to him, nor should he have any sympathetic concern for them.

Salvation promised for Four Communities having faith and good deeds

In the second verse (69), Allah Almighty addresses four traditional religious communities, persuades them to have faith and act righteously whereupon He promises salvation for them. The first of those are: الَّذِينَ آمَنُوا (those who believe) that is, the Muslims. Secondly : الَّذِينَ هَادُوا (and those who are Jews); thirdly : الصَّابِئُونَ (the Sabians); and fourthly : النَّصَارَى (the Christians). Three of these Communities - Muslims, Jews and Christians - are well-known and found in most parts of the world. Any community having the name Sabian does not exist today. Therefore, scholarly opinion varies as to their exact identity. Quoting Qatādah, the Tafsīr authority, Ibn Kathīr has reported that Sabians were people who worshipped angels, offered prayers contra-oriented to the Qiblah and recited the Scripture, Zabūr (revealed to Sayyidnā Dāwūd) عليه السلام.

The context of the Qur'an seems to support it as the four Scriptures mentioned in the Qur'an are Torah, Zabūr, Injīl and Qur'an. Thus, named here are the believers in these four Books.

Another verse on the same subject, almost in the same words, has appeared in the seventh Section of Sūrah al-Baqarah:

إِنَّ الَّذِينَ آمَنُوا وَالَّذِينَ هَادُوا وَالنَّصَارَى وَالصَّبِيَّةَ مَنْ آمَنَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ
وَعَمِلَ صَالِحًا فَلَهُمْ أَجْرُهُمْ عِنْدَ رَبِّهِمْ وَلَا خَوْفٌ عَلَيْهِمْ وَلَا هُمْ يَحْزَنُونَ

Surely, those who believed, and those who are Jews, and Christians, and the Sabians - whoever believes in Allah and in the Last Day, and does good deeds - they have their reward with their Lord. And there is no fear for them nor shall they grieve. (2: 62)

Other than the place-oriented transposition of some words, there is no difference between them.

With Allah, Distinction Depends on Righteous Deeds

The gist of both these verses is that distinctions of lineage, homeland, and nationality do not matter in the sight of Allah. Anyone who takes to total obedience, faith and good deeds as a way of life - no matter what he has been before - shall find himself acceptable with Allah and his devotion will bring the best of appreciation from his Creator. And it is obvious that total obedience after the revelation of the Qur'an depends on being a Muslim - because, there are instructions to this effect in the past Scriptures of the Torah and the Injīl as well, while the Qur'an itself was revealed for this particular purpose. Therefore, after the revelation of the Qur'an and the appearance of the Last among Prophets صلى الله عليه وسلم, it cannot be correct - without believing in the Qur'an and having faith in the Holy Prophet صلى الله عليه وسلم - to follow either the Torah or the Injīl or the Zabūr. Thus, these verses would mean that whoever from among these communities becomes Muslim shall become deserving of salvation and reward in the *Ākhirah* (Hereafter). Provided right here is the answer to the doubt as to what would happen to all their dark doings of sin and disobedience and disbelief and anti-Islam and anti-Muslim mechanizations once they have become Muslims? The disarming answer is: All past sins and shortcomings will stand forgiven and in the life-to-come, they shall have no

fear or grief.

A surface view of the subject may suggest to someone that this should not be the place to mention Muslims because they are - in their faith and through their obedience - at the stage desired in the verse. In other words, the occasion here calls for the mention of only those who are supposed to be persuaded to enter the fold of Islam. But, what we have here is a special mode of eloquence employed by the Qur'ān. It is like the law promulgated by the highest imaginable authority saying that it is for everyone, in favour or in opposition, bringing reward for the law-abiding and punishment for the law-breaking. It is obvious that those in favour are already obedient. The purpose is to make those in the opposing camp hear it. The particular element of wisdom behind mentioning those already in favour is that they are being told here that they are being appreciated not because of any personal or group excellence of theirs but simply because of their quality of obedience to their Creator. If the dissenter in the opposing camp were to take to the path of obedience to his Creator, he too will deserve the same grace and reward.

There is No Salvation (*Najāt*) without Belief in Prophethood (*'Īmān bir-Risālāt*)

The set of instructions given in the address to these four Traditional Religious Communities is divided in three parts: (a) *'Īmān bil-lāh* : Belief in Allah (b) *'Īmān bil-yawmil-ākhir* : Belief in the Last Day (c) and *Al-'Amalus-Sālih* : Good deeds.

It is obvious that the intention in this verse is not to give the entire details of Islam's articles of faith, nor is there any occasion for it. By mentioning some basic beliefs of Islam here, the aim is to point out to all Islamic beliefs, and to invite people to them - nor is it something so necessary that whenever *'Īmān* or faith is mentioned in a verse, all details about it should also be mentioned right there. Therefore, the absence of a clearly emphasized mention of the faith in the Messenger or Prophet at this place should have not given anyone having the least commonsense and justice the room to entertain any doubt - specially, when the whole Qur'ān and hundreds of its verses are brimming with clear statements about belief in the *Risālāh*. Present there are loud and clear assertions that there is no *Najat* (salvation) without believ-

ing in the *Rasūl* (Messenger of Allah) and the sayings of the *Rasūl* fully and completely, and that no belief and action is acceptable or valid without it. But, a group of deviators, which insists on thrusting its repugnant ideas in the Qur'ān somehow, has come up with a new theory based on the absence of an explicit mention of prophethood in this verse - which is absolutely contrary to so many open assertions of the Qur'ān and Sunnah. They theorize that every person, despite his religion, a Jew or Christian, even an idol-worshipping Hindu could deserve salvation in the Hereafter - if he believes only in Allah and the Last Day and does good deeds. For final salvation (as they would prefer) entry in Islam is not necessary. (*Na'ūdhu-bil-lāh* : Refuge with Allah!)

People whom Allah has blessed with the Taufiq of reciting the Qur'ān and having true faith in it would not need some major knowledge or insight to help them remove this doubt which even they could do through these very clear statements. Even readers of the Qur'ān with the help of authentic translations could understand the falsity of this kind of theorizing. Some verses are being given here as an example.

The place where the Holy Qur'ān has described the articles of faith (*Imān*) in details appears at the end of Sūrah al-Baqarah as follows:

كُلُّ اٰمَنَ بِاللّٰهِ وَمَلٰئِكَتِهٖ وَكُتُبِهٖ وَرُسُلِهٖ لَا تَفَرَّقُوْا بَيْنَ اَحَدٍ مِّنْ رُّسُلِهٖ

... All have believed in Allah, and His angels, and His Books, and His Messengers. (in a way that) "We make no difference between any of His Messengers," and they have said ... (2:285).

Within the details of *Imān* (faith) described clearly in this verse, it has also been clarified that believing in any one or some Messengers is absolutely insufficient for salvation. Instead of that, believing in all Messengers is a binding condition. If anyone does not believe even in one single Messenger, his or her *Imān* shall not be valid and acceptable in the sight of Allah.

At another place, it is said:

اِنَّ الَّذِيْنَ يَكْفُرُوْنَ بِاللّٰهِ وَرُسُلِهٖ وَيُرِيدُوْنَ اَنْ يُفَرِّقُوْا بَيْنَ اللّٰهِ وَرُسُلِهٖ وَيَقُوْلُوْنَ نُوْمِنُ بِبَعْضٍ وَنَكْفُرُ بِبَعْضٍ وَيُرِيدُوْنَ اَنْ يَّتَّخِذُوْا بَيْنَ ذٰلِكَ سَبِيْلًا اُولٰٓئِكَ هُمُ

الْكَافِرُونَ حَقًّا،

Surely those who disbelieve in Allah and His Messengers, and wish to make division between Allah and His Messengers, and say, "We believe in some, and disbelieve in some" and wish to take a way in between that. Those are the disbelievers in reality ... (4:151).

The Holy Prophet صلى الله عليه وسلم has said:

لَوْ كَانَ مُوسَى حَيًّا لَمَا وَسِعَهُ إِلَّا إِتِّبَاعِي

Had Mūsā عليه السلام been alive, he would have had no choice but to follow me.

Now, if someone were to say: 'Let the followers of every religion keep acting according to their respective religions. Thus, they can find Paradise and achieve salvation in the Hereafter without having to believe in the Holy Prophet صلى الله عليه وسلم and without having to become Muslims!' - this would, then, be a flagrant disregard of the verses cited above.

In addition to that, if every religion or community is something acting according to which in every age is sufficient for ultimate success and salvation, then, the coming of the Last among Prophets and the revelation of the Qur'ān itself becomes meaningless. The sending of one Shari'ah after the other also becomes redundant. The first Messenger would have brought one Shari'ah and one Book. That would have been sufficient. What need was there to send other Messengers, Shari'ahs and Books? At the most, sufficient would have been the presence of people who would have preserved the Shari'ah and the Book, practiced it themselves and persuaded others to do the same - as has been the duty of the 'Ulamā of every community. This, then, would be a situation in which the words of the Qur'ān: رِكْلٍ جَعَلْنَا مِنْكُمْ شِرْعَةً وَمِنْهَاجًا (For each of you We have made a way and a method - 5:48) will lose their meaning.

Is it not that the Holy Prophet صلى الله عليه وسلم carried out the mission of *Jihād* against Jews and Christians, and others, those who did not believe in him and in the Book of Allah revealed to him, even fought against them on battlefields? What justification would remain for that? And if, for a human being to be a true believer acceptable with

Allah, having faith only in Allah and the Last Day should be taken as sufficient, why then, would Iblīs (Satan) be cursed? Did he not believe in Allah? Or, was he a denier of the Last Day? Was he not the one who, even in his fit of anger, by saying: *إِلَى يَوْمٍ يُنْعَمُونَ* (Till the Day, the [dead] are raised - 34:79), confirmed his faith in the Last Day?

The truth of the matter is that this error is the product of the notion that religion can be given as a gift on a silver plate as done in marriages. Seen in modern and international context, religion can be used to develop bonds of relationship with other nations - although, the Holy Qur'an has said very openly and clearly that we should have our relations with non-Muslims based on tolerance, sympathy, favour, charity, mercy and things like that, but this should be done by ensuring that the limits of religion are not crossed and that its frontiers remain fully guarded.

If, in the verse under reference, let us suppose, there was no mention of the faith in prophethood, then, other verses quoted above which command it emphatically, would have been sufficient. But, a closer look at this verse itself will show a distinct hint towards belief in prophethood because, in the terminology of the Qur'an, only that *'Imān bil-lāh* (belief in Allah) is valid, in which there is belief in everything told by Allah. The Qur'an has made its terminology very clear in the following words:

فَإِنْ آمَنُوا بِمِثْلِ مَا آمَنْتُمْ بِهِ فَقَدْ اهْتَدَوْا

So, if they (the Companions) believe in the like of what you (the Prophet ﷺ) believe in, they have certainly found the right path - 2:137.

It means that the kind of *'Imān* the noble Ṣaḥābah had is the only *'Imān* which deserves to be called *'Imān bil-lāh*. And it is obvious that *'Imān bir-rasūl* was a great pillar of the edifice of their *'Imān*. Therefore, the words: *مَنْ آمَنَ بِاللَّهِ* (whoever believes in Allah) are inclusive of the belief in the Messenger of Allah.

Verses 70 - 71

لَقَدْ أَخَذْنَا مِيثَاقَ بَنِي إِسْرَءِيلَ وَارْسَلْنَا إِلَيْهِمْ رَسُولًا قُلْنَا
جَاءَهُمْ رَسُولٌ بِمَا لَا تَهْوَىٰ أَنْفُسُهُمْ فَرِيقًا كَذَّبُوا وَفَرِيقًا

يَقْتُلُونَ ﴿٧٠﴾ وَحَسِبُوا أَلَّا تَكُونَ فِتْنَةً فَعَمَّوْا وَصَمُّوْا ثُمَّ
 تَابَ اللَّهُ عَلَيْهِمْ ثُمَّ عَمَّوْا وَصَمُّوْا كَثِيرٌ مِنْهُمْ وَاللَّهُ بَصِيرٌ
 بِمَا يَعْمَلُونَ ﴿٧١﴾

Certainly We took a pledge from the Banī Isrā'īl and sent Messengers to them. Whenever a Messenger came to them with what did not meet their desires, they falsified some and started killing others. [70] And they thought that no harm would follow. Therefore, they turned blind and deaf. Then, Allah accepted their repentance, but again they turned blind and deaf, many of them. And Allah is watchful of what they do. [71]

Commentary

This is an account of how the Bani Isrā'īl kept breaking the pledge taken from them. As said in verse 70, whenever their Messenger brought a command which did not suit their fancy, they would break their pledge and go about betraying Allah to the limit that they would falsify His Messengers, even kill some of them. They were commanded 'to believe in Allah and act righteously.' But, this was what they did in response. As for the other part of the command - 'Belief in the Last Day' - their behaviour was equally reckless. After having committed acts so oppressive, they became totally carefree as if they would not have to pay for what they had done and as if the consequences of their injustice and rebellion will never come out in the open. Under this false impression, they became totally blind and deaf to Divine signs and words. They went on doing what should have not been done.

So much so that they killed some prophets and put some others behind bars. Finally, Almighty Allah imposed on them the mastery of Nebuchadnezzar (King of Babylonia, 605-562 B.C., who took them as slaves to Babylon - Old Testament, book of Daniel). When, after a long time, they were sent back to Jerusalem from Babylon through help from some Persian kings who secured their release from disgrace under Nebuchadnezzar, they repented and turned to making amends. Allah relented and accepted their repentance. But, with the passage of some time, they went back to their old practices which made them so blind and deaf once again that they dared killing Sayyidnā Zakariyah

(Zechariah) and Sayyidnā Yaḥyā (John) and were all set to kill Sayyidnā 'Īsā (Jesus). (Tafsīr Usmanī - Notes)

Verses 72 - 76

لَقَدْ كَفَرَ الَّذِينَ قَالُوا إِنَّ اللَّهَ هُوَ الْمَسِيحُ ابْنُ مَرْيَمَ وَقَالَ
الْمَسِيحُ يَبْنَىٰ إِسْرَءِيلَ عِبُدُوا اللَّهَ رَبِّي وَرَبَّكُمْ إِنَّهُ مَن
يُشْرِكْ بِاللَّهِ فَقَدْ حَرَّمَ اللَّهُ عَلَيْهِ الْجَنَّةَ وَمَا فِيهَا النَّارُ وَمَا
لِلظَّالِمِينَ مِنْ أَنْصَارٍ ﴿٧٢﴾ لَقَدْ كَفَرَ الَّذِينَ قَالُوا إِنَّ اللَّهَ
ثَلَاثٌ ثَلَاثَةٌ وَمَا مِنْ إِلَهٍ إِلَّا إِلَهٌ وَاحِدٌ وَإِن لَّمْ يَنْتَهُوا عَمَّا
يَقُولُونَ لَيَمَسَّنَّ الَّذِينَ كَفَرُوا مِنْهُمْ عَذَابٌ أَلِيمٌ ﴿٧٣﴾ أَفَلَا
يَتُوبُونَ إِلَى اللَّهِ وَيَسْتَغْفِرُونَهُ وَاللَّهُ غَفُورٌ رَّحِيمٌ ﴿٧٤﴾ مَا
الْمَسِيحُ ابْنُ مَرْيَمَ إِلَّا رَسُولٌ قَدْ خَلَتْ مِنْ قَبْلِهِ الرُّسُلُ وَأُمُّهُ
صِدِّيقَةٌ كَانَا يَأْكُلَنِ الطَّعَامَ انْظُرْ كَيْفَ نُبَيِّنُ لَهُمُ الْآيَاتِ ثُمَّ
انْظُرْ أَنَّى يُؤْفَكُونَ ﴿٧٥﴾ قُلْ اتَّعَبُدُونَ مِنْ دُونِ اللَّهِ مَا لَا
يَمْلِكُ لَكُمْ ضَرًّا وَلَا نَفْعًا وَاللَّهُ هُوَ السَّمِيعُ الْعَلِيمُ ﴿٧٦﴾

Surely, they became disbelievers who said, "Allah is exactly the Masīḥ son of Maryam (Jesus son of Mary)" while the Masīḥ had said, "O children of Isrā'īl, worship Allah, my Lord and your Lord." The fact is, whoever ascribes any partner to Allah, to him Allah has prohibited the *Jannah* (the Paradise) and their shelter is the Fire. And for the unjust there are no supporters. [72]

Surely, they became disbelievers who said, "Allah is the third of the three" while there is no god but One God. And if they do not desist from what they say, a painful punishment shall certainly befall the disbelievers among them. [73] Why then do they not turn to Allah in repentance and seek His forgiveness when Allah is most forgiving, very merciful? [74]

The Masīḥ, son of Maryam, is no more than a Messenger. There have been messengers before him. And his

mother is very truthful. Look how We explain signs to them, then see how far they are turned away. [75]

Say, "Do you worship, besides Allah, what has no power to do you harm or bring you benefit?" And Allah is the All-Hearing, the All-Knowing. [76]

Commentary

1. The words : إِنَّ اللَّهَ ثَالِثُ ثَلَاثَةٍ in verse 72, translated here literally as 'Allah is the third of the three,' refers to Sayyidnā Masīḥ (Jesus Christ), *Rūḥul-Quds* (The Holy Spirit) and Allah, or to Masīḥ, Maryam (Mary) and Allah - with all three taken as God (Refuge with Allah). Thus, Allah becomes a one-third partner with them, then all three of them become one, and that one is three. This unity in trinity, with three persons in one godhead, is the common belief of Christians. They explain this belief which is supported by neither reason nor revelation with a language that is kept circuitous and ambiguous. When not understood, they declare it to be reality beyond comprehension. (Shabbīr Aḥmad Usmanī - Notes)

2. In verse 75, by saying: فَدَخَلَتْ مِنْ قَبْلِهِ الرُّسُلُ (There have been messengers before him), the assigning of godhood to Sayyidnā Masīḥ عليه السلام has been refuted. Prophets came to this world. They completed their mission. Then, they were gone. They were not eternal which is the mark of godhood. Similarly, Sayyidnā Masīḥ, may peace be upon him (being human like them) was not eternal. So, he cannot be what God is.

A little reflection will show that everyone who needs to eat and drink almost depends on everything in the world. We cannot say that the earth, the air, the water, the sun and the animals are what we do not need. Look into your own self. There is that grain of food outside you, then begins its journey from the entry into the stomach to the next destination of its digestion. Think of all those factors involved and things required directly and indirectly in this complex procedure. Then, there will be a chain of effects generated through eating and no one can tell precisely how far will they go. So, by pointing out that Sayyidnā Masīḥ and his pious mother used to eat, the Holy Qur'an has referred to the endless chain of needs it entails. The argument, thus runs that Masīḥ and Maryam, may peace be upon them both, were not

free of the need for eating and drinking which is proved by observation and authentic narrations (not denied by even Christians). And anyone who is not free from the need of eating and drinking cannot be free from anything in this world. How then, a human person, who like all human beings is not free of the need to depend on the chain of causation for survival, could become God? This is a strong and clear proof which can be understood by the educated and the uneducated alike - that is, eating and drinking is contrary to godhood. Though, not eating too is not a proof in favour of godhood, otherwise all angels would become gods! (Refuge with Allah) (Tafsīr Usmānī)

3. Was Sayyidah Maryam a prophet or saint? This is a debated issue. In the present verse (75), the complimentary use of the word “*Ṣiddīqah*” (truthful) obviously seems to indicate that she was a godly person, not a *Nabiyy* (prophet) - because on a complimentary occasion, what is mentioned is the higher rank. If she had the station of prophethood, the word used for her at this place would have been “*Nabiyyah*”- but, the word used here is “*Ṣiddīqah*” which is the station of sainthood or godliness (abridged from Rūḥ al-Ma‘ānī).

According to the majority of Muslim scholars, the station of *Nubūwwah* (prophethood) has never appeared among women. This mission has been particular with men:

وَمَا أَرْسَلْنَا مِنْ قَبْلِكَ إِلَّا رِجَالًا نُوْحِيْ اِلَيْهِمْ مِّنْ اٰهْلِ الْقُرَىٰ

And We have not sent any (one) before you but men to whom We revealed from among the peoples of the towns - Surah Yusuf, 12 : 109. (Tafsīr Usmānī)

Verses 77 - 81

قُلْ يٰٓاَهْلَ الْكِتٰبِ لَا تَغْلُوْا فِىْ دِيْنِكُمْ غَيْرَ الْحَقِّ وَلَا تَتَّبِعُوْا
اَهْوَآءَ قَوْمٍ قَدْ ضَلُّوا مِنْ قَبْلُ وَاَضَلُّوا كَثِيْرًا وَّضَلُّوا عَنْ
سَوَآءِ السَّبِيْلِ ﴿٧٧﴾ لِّعَنِ الَّذِيْنَ كَفَرُوْا مِنْۢ بَنِيۤ اِسْرَآءِيْلَ
عَلٰى لِسَانِ دَاوُدَ وَ عِيسٰى ابْنِ مَرْيَمَ ؕ ذٰلِكَ بِمَا عَصَوْا وَّكَانُوْا
يَعْتَدُوْنَ ﴿٧٨﴾ كَانُوْا لَا يَتَنَاهَوْنَ عَنْ مُّنْكَرٍ فَعَلُوْهُ لَبِْسٌ مَّا

كَانُوا يَفْعَلُونَ ﴿٧٩﴾ تَرَى كَثِيرًا مِّنْهُمْ يَتَوَلَّوْنَ الَّذِينَ كَفَرُوا
لِبِئْسَ مَا قَدَّمَتْ لَهُمْ أَنفُسُهُمْ أَنْ سَخِطَ اللَّهُ عَلَيْهِمْ وَفِي
الْعَذَابِ هُمْ خَالِدُونَ ﴿٨٠﴾ وَلَوْ كَانُوا يُؤْمِنُونَ بِاللَّهِ وَالنَّبِيِّ
وَمَا أُنْزِلَ إِلَيْهِ مَا اتَّخَذُوهُمْ أَوْلِيَاءَ وَلَكِنَّ كَثِيرًا مِّنْهُمْ
فَاسِقُونَ ﴿٨١﴾

Say, "O people of the Book, be not excessive in your faith unjustly, and do not follow the desires of a people who already went astray, misled many and lost the right path. [77]

On those who disbelieve from among the children of Isra'īl was a curse pronounced by Dāwūd and 'Isā son of Maryam. All this because they disobeyed and used to cross the limits. [78] They did not forbid each other from an evil they committed. Indeed, evil is what they have been doing. [79]

You see many of them take the disbelievers as friends. Indeed, evil is what their own selves have sent ahead for themselves as Allah is angry with them, and they are to remain under punishment for ever. [80]

And if they have been believing in Allah, in the prophet and in what had been sent down to him, they would have not taken them as friends, but many of them are sinners. [81]

Commentary

The Crookedness of Banī Isra'īl : Yet Another Aspect

It will be recalled that, in previous verses, mentioned there was the contumacy of Bani Isra'īl along with their tyranny and injustice with reference to what they did to their benefactors, the prophets sent by Allah who had come to show them the way to succeed in this life and in the life to come. But, they mistreated them, by falsifying some and killing others: قَرِيبًا كَذَبُوا وَكَرِيبًا يَقْتُلُونَ (72)

The present verses expose another aspect of the crooked ways of Bani Isra'īl. So astray were they that they, not content with one extreme mentioned above, reached for another when they committed ex-

cess in showing reverence for messengers of Allah by making them nothing short of God: *لَقَدْ كَفَرَ الَّذِينَ قَالُوا إِنَّ اللَّهَ هُوَ الْمَسِيحُ ابْنُ مَرْيَمَ*. It means that the section of people from the Banī Isrā'īl who said that Allah is exactly Jesus the son of Mary had become disbelievers. Mentioned this far is the saying of the Christians only. Elsewhere, the Jews too have been censured for the same kind of excess and error: *وَقَالَتِ الْيَهُودُ عُزَيْرٌ ابْنُ اللَّهِ وَقَالَتِ النَّصَارَى الْمَسِيحُ ابْنُ اللَّهِ* (And the Jews said, "Uzair (Ezra) is the son of Allah" and the Christians said, "Masīḥ (the Christ) is the son of Allah."

The word "*Ghuluww*" used at the beginning of verse 77: *قُلْ يَٰأَهْلَ الْكِتَابِ* (Say, "O people of the Book, be not excessive in your faith") means to cross limits. "*Ghuluww*" or excess in religion refers to the crossing of limits drawn by religion in matters of belief and deed. For example, there is a limit to paying homage to prophets. The farthest one can go is to take them as the best among God's creation. That is the limit. Going over and beyond this limit, calling those very prophets God or son of God is excess in matters of belief.

Banī Isrā'īl : Their Cycle of Excess and Deficiency

The behaviour of the people of the Banī Isrā'īl towards prophets and messengers of Allah had been a mixture of opposites. They could become as neglectful and irreverent as to falsify or even kill them while it would be they themselves who would stretch the limits of their exaggerated reverence for them by calling them God or son of God. This syndrome of excess and deficiency in group behaviour is a sign of ingrained brutality. There is a well-known saying among Arabs: *الْجَاهِلُ أَمَّا مَفْرُطٌ أَوْ مُفْرِطٌ* which means that an ignorant person never stays on moderation. He would either go for '*Ifrāt*' (excess) or for '*Tafrīt*' (deficiency). *Ifrāt* means to cross the limit while *Tafrīt* means to fall short in doing one's duty. These actions on two extremes may have come from two different groups of the Banī Isrā'īl, or it is also possible that one single group acted in two different ways with different prophets whereby some were subjected to their falsification, even killing, while some others were equated with God.

Addressing the people of the Book in this verse, the guidance given to them and their generations to come right through the Last Day, has the status of a basic principle to be kept in sight while following a religion for the slightest deviation from it makes one be lost for ever.

Therefore, let us first explain a few basic things about it.

The Method of Knowing and Reaching Allah

The most significant truth of our life is that Allah *Jalla Sha'nuhu* is the Creator and Master of all universes of existence and whatever they contain. He is One. To Him belongs all there is and for Him is to command. It is He alone man must obey. But man, the lump of clay come alive, is still wrapped up in layers and layers of materialism. How can he reach out to the One so pure and pristine? Or, how could he get an access to sources of His will and guidance? For this, Allah *Jalla Sha'nuhu* has, in His grace, appointed two sources of knowledge through which man can get to know what is liked and disliked by Allah Almighty and what it is that man must do and what is it that man must avoid. The first source is that of the Books of Allah which have the status of Law and Guidance for all human beings. Then, as the second source, there are those special and welcome servants of Allah whom Allah Almighty has chosen from among human beings, and He has sent them to people as the practical models of His likes and dislikes and the practical keys to His Books. In religious terminology, they are called "*Rasūl*" (messenger) or '*Nabiy*' (prophet).

This is because a book, no matter how exhaustive, can never be sufficient for the complete grooming of man. The fact is that it takes a man to be the natural groomer and nurturer of another man. Therefore, it has been the practice of Allah that He has allowed two orders to flourish in the mission of reforming and training men in the art of living. These are: (a) The Book of Allah, and (b) The Men of Allah - included wherein are the blessed prophets, then their deputies, the 'Ulamā and the *Masha'ikh*. About this order of '*Rijālul-lāh*' (men of Allah), people have been victims of excess and deficiency since ancient times. Particularly, the different sects that mushroomed in religions were all products of this error of approach through which somewhere they were inflated beyond the required limit hitting the outer frontiers of the worship of such men. At other places, they were totally ignored and bypassed by saying: 'For us, the Book of Allah is enough' (حَسْبُنَا كِتَابُ اللَّهِ), apparently a true declaration, but by misinterpreting it to negate the importance of prophets they made it as their motto. At one extreme a Messenger of Allah, a *Rasūl* - even *Pīrs* and *Faqīrs* - were taken

to be the knowers of the unknown and seers of the unseen, as if they were (God forbid) the very possessors of God's own attributes. People started with worshipping live *Pīrs* and landed into the worship of their graves as well. Then, there was that other extreme when even a *Rasūl* of Allah was given the status of what would be a mere courier or postman. Thus, the essential message of the verses under reference is that the offenders against the honour of prophets are no less in their disbelief than are those who raise them far above the limits set for honouring them and go about saying that they were equal to Allah. Verse 77 which says, "do not be excessive in your faith," is a preface to this very subject. It makes it very clear that *Dīn* is, in reality, the name of a few limits and restrictions. The way it is a crime to remain deficient or negligent within those limits, so it is a crime to cross and exceed them. The way it is a grave sin to reject and insult the messengers of Allah and their deputies, in the same way, it is a much graver sin to take them to be the owners of Allah's own attributes or their equal sharers with Him.

Justified Intellectual Research is no Excess

In verse 77, the word: *غَيْرَ الْحَقِّ* (unjustly) appears alongwith the statement: *لَا تَغْلُوا فِي دِينِكُمْ* (Do not be excessive in your faith). According to investigative scholars of *Tafsīr*, this word has been used here for emphasis because an excess in religion is always unjust. The probability of its being just does not simply exist. 'Allāmah al-Zamakhsharī and others have identified two kinds of *Ghuluww* or excess at this particular place: (1) The unjust and false which has been prohibited here; (2) The just and permissible, as an example of which, he has named deep intellectual research - or as it has been the way of the scholastic theologians (*Mutakallimīn*) of Islam in matters relating to articles of faith, or that of Muslim jurists in matters relating to juristic rulings. According to him, even this is, though, *Ghuluww* (excess) but, an excess which is just and permissible - while, the considered position of the majority of scholars is that it simply does not fall within the definition of *Ghuluww* (excess). Finally, we can say that deep insight and detailed investigation in questions relating to the Qur'ān and Sunnah should remain within the limits as proved from the Holy Prophet ﷺ and from the *Ṣaḥābah* and *Tābi'īn* - if so, that is not *Ghuluww* (excess). And what reaches the limits of *Ghuluww* is blameworthy here too.

Banī Isrā'īl Asked to Follow the Path of Moderation

Addressing the Banī Isrā'īl at the end of the verse (77), it was said: وَلَا تَتَّبِعُوا أَهْوَاءَ قَوْمٍ قَدْ ضَلُّوا مِنْ قَبْلُ وَأَضَلُّوا كَثِيرًا وَضَلُّوا عَنْ سَوَاءٍ وَضَلُّوا عَنْ سَبِيلِ اللَّهِ that is, they should not follow the desires and whims of a people who had themselves gone astray before them, and had made others go astray as well. The reason why they fell into that error was given immediately after by saying: وَضَلُّوا عَنْ سَوَاءٍ وَضَلُّوا عَنْ سَبِيلِ اللَّهِ that is, these people, by moving away from the right path, had lost it. This straight path was the path of moderation between the two extremes of excess and deficiency. Thus, two things have been accomplished in this verse: It points out to the fatal error made by crossing over the norm, or lagging far behind it, and stresses upon the need to stay firm on the straight path, the ideal path of moderation.

The Sad End of Banī Isrā'īl

Mentioned in the second verse (78) is the sad end of those from the Banī Isrā'īl who were involved in this error of excess and deficiency. On them fell the curse of Allah Almighty. Firstly, it came through the tongue of Sayyidnā Dāwūd عليه السلام as a result of which they were transformed into swines. Then, this curse fell upon them through the tongue of Sayyidnā 'Isā عليه السلام the temporal effect of which was that they were transformed into monkeys. Some commentators have pointed out that the reference to the curse mentioned here as coming through only two prophets is because the context so requires. But, the fact is that the casting of curse on them began with Sayyidnā Mūsā عليه السلام and ended at the Last among Prophets صلى الله عليه وسلم. Thus, the curse which overtook those, who were hostile to prophets or were guilty of acting excessively by making prophets sharers in Divine attributes, was wished verbally by four prophets one after the other.

In the last two verses (80,81), the cultivation of deep friendship with disbelievers has been prohibited as its outcome is disastrous. It may also be indicative of the possibility that the deviation of Banī Isrā'īl was a result of their close friendly collaboration with disbelievers which may have affected their ways adversely and finally became the cause of their fall into the abyss.

Verses 82 - 86

لَتَجِدَنَّ أَشَدَّ النَّاسِ عَدَاوَةً لِلَّذِينَ آمَنُوا الْيَهُودَ وَالَّذِينَ

أَشْرَكُوا وَلَتَجِدَنَّ أَقْرَبَهُمْ مَوَدَّةً لِلَّذِينَ آمَنُوا الَّذِينَ قَالُوا إِنَّا
 نَصْرِي ۚ ذَٰلِكَ بِأَنَّهُمْ قَسِيسِينَ وَرُهَبَانًا وَأَنَّهُمْ لَا
 يَسْتَكْبِرُونَ ﴿٨٢﴾ وَإِذَا سَمِعُوا مَا أُنْزِلَ إِلَى الرَّسُولِ تَرَى
 أَعْيُنُهُمْ تَفِيضُ مِنَ الدَّمْعِ مِمَّا عَرَفُوا مِنَ الْحَقِّ يَقُولُونَ رَبَّنَا
 آمَنَّا فَاكْتُبْنَا مَعَ الشَّاهِدِينَ ﴿٨٣﴾ وَمَا لَنَا لَا نُؤْمِنُ بِاللَّهِ وَمَا
 جَاءَنَا مِنَ الْحَقِّ وَنَطْمَعُ أَنْ يُدْخِلَنَا رَبَّنَا مَعَ الْقَوْمِ الصَّالِحِينَ
 ﴿٨٤﴾ فَأَتَابَهُمُ اللَّهُ بِمَا قَالُوا جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ
 خَالِدِينَ فِيهَا ۚ وَذَٰلِكَ جَزَاءُ الْمُحْسِنِينَ ﴿٨٥﴾ وَالَّذِينَ كَفَرُوا
 وَكَذَّبُوا بِآيَاتِنَا أُولَٰئِكَ أَصْحَابُ الْجَحِيمِ ﴿٨٦﴾

You will certainly find that the most hostile people against the believers are the Jews and the ones who ascribe partners to Allah. And you will certainly find that the closest of them in friendship with the believers are those who say, "We are Christians." That is because among them there are priests and monks and because they are not arrogant. [82] And when they hear what has been sent down to the Messenger, you will see their eyes overflowing with tears on what they have recognized from the truth. They say, "Our Lord, we have come to believe. So, write us down alongwith those who bear witness. [83] And what excuse do we have if we do not believe in Allah and in what has come to us from the truth, while we hope that our Lord will admit us in the company of the righteous people?" [84]

So, Allah has awarded them, because of what they said, gardens beneath which rivers flow, wherein they shall live for ever. And that is the reward of the good in deeds. [85]

And those who disbelieved and denied Our signs, they are the people of the Fire. [86]

Sequence of Verses

Mentioned earlier was the friendliness of Jews with disbelievers.

Mentioned now is their hostility towards Muslims in tandem with the disbelievers - which was the real cause of that friendship (the enemy of my enemy is my friend!). And since the Qur'ān upholds justice universally, it has not counted everyone even among Jews and Christians as being in the same lot. Whoever among them had some good quality, that was acknowledged openly - for example, the presence of a particular group among the Christians which did not have the kind of prejudice the Jews were known for, and the statement about the Christians who had responded heartily to the call of truth and for which they were considered worthy of the best of praise and reward. This particular group was that of the Christians of Ethiopia who did nothing which could cause problems for Muslims who had migrated to Ethiopia from their home in Makkah, before the Hijrah to Madinah. Any Christian, other than them, who is like them, shall also be legally counted as one of them. As for those who had accepted the truth, they are the King of Ethiopia, Najāshī (Negus) and his courtiers who wept on hearing the Qur'ān in their own country and embraced Islam. After that, a deputation of thirty men from there came to the Holy Prophet صلى الله عليه وسلم who recited the Qur'ān to them which they heard in tears and took their *Shahādah* as Muslims. This is the Cause or Background of the revelation of this verse.

Commentary

Some Votaries of the Truth among the People of the Book

Mentioned in these verses are those among the people of the Book who, had no feelings of malice or enmity for Muslims because of their godliness and tilt towards truth. But, people of such quality - like Sayyidnā 'Abdullāh ibn Salām - were very rare, rather almost non-existent among the Jews. Speaking comparatively, there were more such people among the Christians. Specially so, during the blessed period of the Holy Prophet صلى الله عليه وسلم, there was a large number of such people in Ethiopia which included King Najāshī and his civil servants. For this reason, when the Muslims of Makkah al-Mukarramah were fed up with being continually oppressed by the Quraysh, the Holy Prophet صلى الله عليه وسلم advised them to migrate to Ethiopia saying that he had heard that the King of Ethiopia himself was no oppressor of people, nor did he allow anyone to oppress others, therefore, Muslims should go there for some time.

Following this advice, the first group of eleven persons started their journey towards Ethiopea. Included in the group were Sayyidnā 'Uthmān ibn 'Affān and Sayyidah Ruqaiyyah, his respected wife and the daughter of the Holy Prophet ﷺ. After that, a large caravan of Muslims comprising of eighty two men in addition to women, led by Sayyidnā Ja'far ibn Abī Ṭālib ﷺ, reached Ethiopea. Received there nicely and gently by the King and his people, they started living there in peace.

But, the wrath of the Quraysh of Makkah knew no bounds. They could not bear by the idea that Muslims persecuted by them could live in peace in some other country. This they did not wish to allow. They sent a deputation of their men, with gifts as customary, to the King of Ethiopea with the request that he should expel Muslims from his country. But, the King of Ethiopea decided to first investigate into the matter. He talked to Sayyidnā Ja'far ibn Abī Ṭālib and his companions about Islam and its Prophet. When he heard about the life of the Holy Prophet ﷺ and the teachings of Islam, he found these true to the prophecy of Sayyidnā 'Īsā عليه السلام and Injīl which contained the glad tidings of the coming of the Last of the Prophets, Sayyidnā Muḥammad al-Muṣṭafā ﷺ, a brief outline of his teachings, and his physical features as well as those of his Companions (for ready identification). Impressed with and convinced by what he found out, he returned the gifts brought by the Quraysh deputation telling them plainly that he could never order such people to leave his country.

The Effect of Sayyidnā Ja'far's Presentation on Najāshī

Sayyidnā Ja'far had succeeded in presenting a brief but very comprehensive portrayal of Islam and its teachings in the court of Najāshī, the King of Ethiopea. Then, there was their very stay (as Muslim role models) in Ethiopea which had generated not only in his heart but in the hearts of his officials and common people genuine feelings for Islam and its Prophet. Consequently, when the Holy Prophet ﷺ migrated to Madīnah al-Ṭayyibah and the news that they were comfortable and at peace there reached Ethiopea, the immigrating guests of the country decided to go to Madīnah. Then, Najāshī, the King of Ethiopea sent with them a deputation of leading scholars and missionaries from among his co-religionists to present his compliments before the

Holy Prophet ﷺ. This group was comprised of seventy persons, out of which, there were sixty from Ethiopia itself, and eight from Syria.

The Visit of Ethiopian Delegation

Attired in the coarse robes of monks, this deputation presented itself before the Holy Prophet ﷺ. He recited Sūrah Yā Sīn before them. As they heard it, tears kept flowing from their eyes. They all said how similar that was to what was revealed to Sayyidnā 'Isa عليه السلام. All of them embraced Islam.

After their return to Ethiopia, King Najāshī also embraced Islam. He sent his son as the leader of another deputation to the Holy Prophet صلى الله عليه وسلم with a letter from him. Unfortunately, the boat carrying them was drowned in the sea. In short, the King of Ethiopia, its officials and citizens did not only treat Islam and Muslims gently, fairly and justly, but they themselves embraced Islam finally.

According to the majority of commentators, the verses cited above were revealed about these blessed souls:

وَلَتَجِدَنَّ أَقْرَبَهُمْ مَوَدَّةً لِلَّذِينَ آمَنُوا الَّذِينَ قَالُوا إِنَّا نَصْرِي

And you will certainly find that the closest of them in friendship with the believers are those who say, "We are Christians."

And about the verses which follow, and in which their weeping in fear of Allah and their acceptance of the truth has been described, the majority of commentators also agree that - though these verses have been revealed about Najāshī and the deputation sent by him - yet, its words are general. Therefore, its legal force covers and includes all such Christians who are devoted to truth and justice similar to the people of Ethiopia. That is, they were followers of the Injīl before Islam, and after the coming of Islam, they became followers of Islam.

Though, there were some people of this class even among Jews who adhered to the Torah since the period of Sayyidnā Mūsā, but when came Islam, they entered the fold of Islam. However, the number of such people was so small that it cannot be considered significant in the context of communities and nations. As for the rest of the Jews, they were the foremost in their hostility towards Muslims. Therefore, their attitude was identified at the very beginning of the verse by saying:

لَتَجِدَنَّ أَشَدَّ النَّاسِ عَدَاوَةً لِلَّذِينَ آمَنُوا الْيَهُودَ

You will certainly find that the most hostile people against the believers are the Jews ...

Limits of Interpretation

To recapitulate, it can be said that a particular group of the Christians has been praised in this verse, a group which was God-fearing and upright in matters of truth. It includes King Najāshī, his officials and citizens - as well as other Christians who had these qualities, or would have in times to come. But, it does not mean - neither based on what the text says, nor could it possibly be - that the Christians have to be taken as friends of Muslims, no matter how astray they go and how aggressive in their anti-Islam hostility they become, and yet Muslims will have to extend their hand of friendship towards them. This interpretation, as obvious, is false and is absolutely against facts. Therefore, Imām Abū Bakr Al-Jaṣṣāṣ has said in his *Aḥkām al-Qur'ān*: that the thinking of some people who take the praise of Christians in this verse in an absolute sense and consider them better than the Jews, again in an absolute sense, is open ignorance - because a comparison of the religious beliefs of the two groups will show that the Christians are more pronounced in being *Mushriks* (as ascribers of partners in the divinity of Allah); and as for their dealings with Muslims are concerned, common modern-day Christians have not been any less than Jews in their anti-Islam activities. However, it is correct that there have been a good many God-fearing and truth-loving people among them. That is why they had the *Taufīq* to accept Islam and become Muslims. It must be kept in mind that these verses were revealed to show this particular difference between the two groups. The Qur'an has itself pointed out to this fact at the end of this very verse (82) in the following words: *ذَلِكَ بِأَنَّهُمْ قَسِيصُونَ وَرَهْبَانًا وَأَنَّهُمْ لَا يَسْتَكْبِرُونَ* : "That is because among them there are priests and monks and because they are not arrogant (which could make them unwilling to listen and think)." Comparison makes it clear that this was not the condition of Jews. They were not God-fearing and truth-loving. Their scholars and rabbis were far removed from renouncing the material pleasures of mortal life for the sake of knowledge and religion, instead of which, they had harnessed their knowledge and learning as a source of accumulating

material benefits. This lust for the mundane had gripped them to the extent that they did not care to make a distinction between the true and the false or the lawful and the unlawful.

Those who side with Truth are the moving spirit of a community

The statement given in the verse also tells us something crucial about the life of a community or nation (of true believers) - that its '*Ulamā'*' and *Mashāikh* are its real movers and makers, the very spirit of the system. Until such time that there are present in the society (genuine) '*Ulamā'*' and *Mashāikh*, who would not follow their worldly desires (in matters of *Dīn* and public good of Believers) motivated by nothing but the fear of Allah and answerability before Him, then, the community or nation in which they are shall never be deprived of real good and real blessing.

Verses 87 - 88

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَحْرِمُوا طَيِّبَاتِ مَا أَحَلَّ اللَّهُ لَكُمْ وَلَا تَعْتَدُوا إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ ﴿٨٧﴾ وَكُلُوا مِمَّا رَزَقَكُمْ اللَّهُ حَلَالًا طَيِّبًا ۚ وَاتَّقُوا اللَّهَ الَّذِي أَنْتُمْ بِهِ مُؤْمِنُونَ ﴿٨٨﴾

O those who believe, do not make unlawful good things that Allah has made lawful for you, and do not transgress. Verily, Allah does not like the transgressors. [39] And eat any lawful, good thing from what Allah has provided for you, and fear Allah whose believers you are. [88]

Sequence of Verses

Upto this point, the subject revolved around the people of the Book. Onwards, there is a return to subsidiary injunctions some of which were taken up early in the Sūrah, and some others also in between. Also reported is a particular link as relevant to the occasion - that monasticism has been mentioned in a complimentary sense a little earlier (82), though it is there in terms of a particular feature in it, which is the abandonment of worldly desires. But, since there was a probability that someone may take the whole concept of monasticism as praiseworthy, it was considered appropriate at this point that the

making unlawful of what Allah has made lawful be forbidden. (As abridged from Bayān al-Qur'ān by Maulānā Ashraf 'Alī Thānavī)

Commentary

Leaving the worldly pleasures, when permissible

The verses appearing above tell us that the renunciation of worldly life and the abstinence from appetites and passions is favourable within a certain limit, but any transgression of the Divinely—ordained limits in this matter too shall be blameworthy and *Harām* (unlawful, forbidden). Details are being given below.

How *Ḥalāl* is turned into *Ḥarām* : The Three Forms

There are three forms in which something made *Ḥalāl* (lawful and good) by Allah could be declared as *Ḥarām* (unlawful and evil): (1) BELIEF-WISE, that is, something is taken to be *Ḥarām* by believing it to be so. (2) VERBALLY, that is, something is taken to be *Ḥarām* for oneself by saying so — for instance, someone swears that he will not drink cold water, or would not eat such and such *Ḥalāl* food, or would not do something which is permissible. (3) PRACTICALLY, that is, someone who neither believes nor says anything, yet decides in practice that he or she would abandon something *Ḥalāl* for ever.

1. Under the first situation, if that thing being *Ḥalāl* stands confirmed by absolute proofs, then, the person who takes it to be *Ḥarām* shall become a disbeliever (*kāfir*) because of that open contravention of the Divinely-ordained law.

2. And under the second situation, if someone has made something *Ḥarām* for oneself by declaring it with words of oath, the oath will become effective. There are many words of oath details of which appear in *Fiqh* books - for example, someone clearly says: 'I swear by Allah, I will never eat that' or 'by Allah, I will not do that' or one might say, 'I make taking this or doing that *Ḥarām* for me.' The rule which governs such actions is that taking such oaths unnecessarily is a sin. If taken, one must break the oath and make amends by paying the *Kaffārah* (expiation) of that oath, the detail about which will appear later.

3. The third will be a situation in which no *Ḥalāl* has been made *Ḥarām* either by belief or word of mouth, but practically what one does is similar to what is done with something *Ḥarām*, that is, takes it as

obligatory to abandon it for ever. The rule in this case is: If one takes the abandonment of the *Halāl* to be an act of *Thawāb* (merit, reward), then, it is *Bid'ah* (innovation in established religion) and *Rahbānīyah* (monasticism) - which is a grave sin as categorically laid down (*Manṣūṣ*) in the Qur'ān and Sunnah; and acting against it is *Wājib* (necessary as an obligation); and adhering to such a restriction is an act of sin. Of course, if such a restriction is not there with the intention of *Thawāb*, instead, it is there for some other reason, such as, some physical or spiritual sickness because of which one abandons something permanently, then, there will be no sin in doing so. Reports about some noble *Ṣufīs* and other pious elders that they had abandoned some *Halāl* things are all included under this third kind as they had found them to be harmful for their desiring self, or were advised by a pious elder to abstain from it as harmful in their case which they abandoned as a treatment and remedy. If so, it does not matter.

The Correct Attitude towards *Halāl* Things

At the end of the first verse (87), it was said: *وَلَا تَعْتَدُوا، إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ* , that is, 'and do not transgress the limits set by Allah because Allah does not like such transgressors.' Here, transgressing means that one abandons something *Halāl*, without any valid excuse, as an act of *Thawāb*. This is something an ignorant person takes to be *Taqwā*, fear of Allah, while, in the sight of Allah, that is transgression, which is impermissible. Therefore, it was said in the next verse (88): *وَاتَّقُوا اللَّهَ الَّذِي أَنْتُمْ بِهِ مُؤْمِنُونَ* that is, '(eat from the good and pure sustenance Allah has blessed you with) and keep fearing Allah whose believers you are.'

Stated clearly in this verse is that leaving off good and pure things as a source of *Thawāb* (reward) is no *Taqwā*. Rather, quite contrary to that, *Taqwā* lies in using them as the blessings of Allah and showing one's gratitude for them. However, if something is abandoned as a curative measure against a physical or spiritual disease, that does not count here.

Verse 89

لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا
عَقَّدْتُمُ الْأَيْمَانَ فَكَفَّارَتُهُ إِطْعَامُ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ

مَا تَطْعُمُونَ أَهْلِيكُمْ أَوْ كَسَوْتُمْهُم أَوْ خَرَّيْتُمْ رَقَبَةً فَمَنْ لَّمْ يَجِدْ
فَصِيَامَ ثَلَاثَةِ أَيَّامٍ ذَلِكَ كَفَّارَةُ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ وَاحْفَظُوا
أَيْمَانَكُمْ كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ آيَاتِهِ لَعَلَّكُمْ تَشْكُرُونَ ﴿٨٩﴾

Allah does not hold you accountable for what is not countable from among your oaths, but He does hold you accountable for the oath you have bound yourself with. Its expiation is to feed ten poor persons at an average of what you feed your family with, or to clothe them, or to free a slave. And whoever finds none shall fast for three days. That is expiation for your oaths when you have sworn. And take care of your oaths. That is how Allah makes His signs clear to you, so that you may be grateful. [89]

Sequence of Verses

Mentioned earlier was the taking of *Halāl* things as unlawful. Since statements to this effect are sometimes sworn, therefore, the injunction about taking of oaths follows in the present verse.

Commentary

Three Forms of Oaths and their Injunctions

1. Some forms in which oaths are taken have been described in this verse. Some have appeared in Sūrah al-Baqarah as well (Ma'arif-ul-Qur'an, Volume I, Verse 2:225, pages 562-563). The gist of all these is that false swearing about a past event knowingly is, in the terminology of Muslim jurists, *Yamīn Ghamūs* (disasterous oath) - for instance, if a person has done something, and he knows that he has done it, and then he knowingly swears that he has not done it. This is false swearing, a grave major sin the curse of which falls in the present life and in the life-to-come. But, there is no *Kaffārah* (expiation) necessary for it. *Tau-bah* (repentance) and *Istighfār* (seeking forgiveness from Allah) are, however, necessary. That is the reason why the Muslim jurists call it the disasterous oath. *Ghamūs* literally means that which drowns. This kind of oath drowns man into sin and its curse, a disaster for one's present and future life.

2. The second form is that someone declares on oath that a past event was true, as based on his knowledge, while it was actually false - for example, he learnt from someone that a certain person has come and trusting him, he declared on oath that the person has come, then, he came to know that this was contrary to what had actually happened. This is called *Yamīn Laghw* (ineffectual oath), that which is not counted. Similarly, if a word denoting oath, such as 'by' or 'I swear,' comes to be said unintentionally, that too is known to be what is 'ineffectual oath.' It brings neither *Kaffarah* (expiation) nor sin.

3. The third form of oath is that one declares on oath that he would or would not do something in the future. This is known as *al-Yamīn al-Mun'aqidah* (Binding oath). The rule which governs it is that, in the event the oath is broken, *Kaffarah* (expiation) becomes necessary - and under some situations, it brings sin as well, while in some others, it does not.

At this place in the present verse of the Qur'ān, '*Laghw*' (ineffectual, not counted) obviously means the oath which brings no *Kaffarah* (expiation) - whether a sin, or not; because it has been mentioned in contrast with : *عَقَّدْتُمُ الْأَيْمَانَ* (the oaths you have bound yourselves with). This tells us that the accountability (*Mu'akhadhah*) mentioned here is only the accountability in the present world which comes in the form of *Kaffarah* (expiation).

Then, in Sūrah al-Baqarah, it is said: *لَا يَأْخُذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ بِمَا جَاذَعْتُمْ* (And Allah does not hold you accountable for what is not countable from among your oaths, but holds you accountable for what your hearts have designed - 2:225). Here, '*Laghw*' (what is not countable) means an oath which slips out from one's tongue without intention or volition, or an oath one takes about something assuming it to be true while it turns out to be false actually. Then, mentioned in contrast, is the other oath in which an intentional lie has been told. This is known as *Yamīn Ghamūs* explained earlier. Therefore, as for *Yamīn Laghw*, it brings no sin, according to this verse - instead, what brings sin is *Yamīn Ghamūs* where the lie is intentional. Thus, the sin mentioned in the verse from Sūrah al-Baqarah refers to the sin one shall incur in the Hereafter for disobeying the Divine injunction. And in the present verse of Sūrah al-Mā'idah, the injunction concerns the

present life of the world, where *Kaffārah* (expiation) is required. The outcome is that Allah does not hold you accountable for what is not countable in your oaths, that is, does not make it obligatory for you to make amends for them by paying *Kaffarah* (expiation). Instead, *Kaffārah* is made necessary against the particular oath which has been accomplished about doing or not doing something in the future - and then, it has been broken. After that, the details of how *Kaffārah* has to be given is described in the following words: فَكَفَّارَتُهُ إِطْعَامُ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ (89). مَا تَطْعَمُونَ أَهْلِيكُمْ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ رَقَبَةٍ (89). Three options have been given here which one may choose at one's discretion: (a) feed ten poor persons two average meals, or (b) clothe ten poor persons (sufficient to give them proper cover, such as, a garment for the lower body and another for the upper), or (c) free a slave (if in possession).

Said immediately after is : فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ (And whoever finds none shall fast for three days). It means if some breaker of such an oath does not have the ability to bear the cost of this financial expiation (*Kaffārah*), that is, one who does not have the means to feed ten poor persons, or clothe them, or free a slave, then, his or her *Kaffārah* is to fast for three days. In some narrations, for the fasts mentioned at this place in the text, the command is said to be that of 'three consecutive days.' Therefore, according to Imām Abū Ḥanīfah and some other Imāms, it is necessary that the three fasts against the *Kaffārah* (expiation) of Oath should be consecutive.

In this verse, the first word used in connection with the *Kaffārah* of Oath is: "Itām" which, according to Arabic usage, could either mean 'feed' or 'give food' to someone. Therefore, as determined by the *Fuqahā* (Muslim Jurists), may the mercy of Allah be upon them, the sense of the verse is that the person giving *Kaffārah* can choose either of the two options. He can invite ten poor persons and feed them; or, he can give the food in their possession (literally in *milkiyat* or ownership). But, in the first situation, it is necessary that he should feed ten poor persons two meals of the day to their fill and satisfaction from the average food he usually eats with his family at home. And in the second situation, he should give to each of the ten poor persons at the rate of one *Fitrah* per person, that is, 1 3/4 kilograms of wheat, or its cost in cash. He can go by any one of the three he likes. But, fasting can be

sufficient only when one does not have the ability to take any of the three options.

Paying *Kaffārah*, before Oath is Broken, is not Valid

Towards the end of the verse, the need to observe caution has been commanded about two things. The first one appears in: **ذَلِكَ كَفَّارَةُ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ** (that is expiation for your oaths when you have sworn). According to Imām Abū Ḥanīfah and other Imāms, it means: When you give a sworn statement about doing or not doing something in the future - following which occurs its violation - then, its *Kaffārah* is what has been mentioned above. The essence of the statement is that the *Kaffārah* should be given after the oath has broken. A *Kaffārah* given before the breaking of the oath will not be valid. The reason is that the cause which makes *Kaffārah* necessary lies in the breaking of the oath. As long as the oath does not break, *Kaffārah* just does not become necessary. As there is no Ṣalāh before its time, and there is no Ramaḍān fast before the month of Ramaḍān, so it is with the *Kaffārah* of Oath which cannot be given before the oath breaks.

After that comes the second note of caution: **وَاحْذَرُوا أَيْمَانَكُمْ** (And take care of your oaths). In this sense of guarding an oath it would mean: If you have sworn to something, then do not break your oath without a legal or physical necessity. Some other respected scholars have said that it means that one should not hasten to give a sworn statement. One should guard and protect one's oath, as if kept in reserve. Unless it be under severe compulsion, one should not take oaths casually. (Mazhari)

Verses 90 - 92

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا الْخَمْرُ وَالْمَيْسِرُ وَالْأَنْصَابُ وَالْأَزْلَامُ
رَجْسٌ مِّنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ ﴿٩٠﴾ إِنَّمَا
يُرِيدُ الشَّيْطَانُ أَنْ يُوقِعَ بَيْنَكُمُ الْعَدَاوَةَ وَالْبَغْضَاءَ فِي الْخَمْرِ
وَالْمَيْسِرِ وَيُصَدِّكُمْ عَنْ ذِكْرِ اللَّهِ وَعَنِ الصَّلَاةِ ۖ فَهَلْ أَنْتُمْ
مُنْتَهُونَ ﴿٩١﴾ وَاطِيعُوا اللَّهَ وَاطِيعُوا الرَّسُولَ وَاحْذَرُوا ۚ
فَإِنْ تَوَلَّيْتُمْ فَأَعْلَمُوا إِنَّمَا عَلَى رَسُولِنَا الْبَلْغُ الْمُبِينُ ﴿٩٢﴾

O those who believe, the truth is that wine, gambling, altar-stones and divining arrows are filth, a work of Satan. Therefore, refrain from it, so that you may be successful. [90]

The Satan wants nothing but to plant enmity and malice between you through wine and gambling, and to prevent you from the remembrance of Allah and from the *Ṣalāh*. Would you, then, abstain? [91]

Obey Allah and obey the Messenger, and be careful. If you still turn back, be sure that the duty of Our Messenger is only to convey the Message clearly. [92]

Linkage of Verses

Earlier, considered abandonment of *Ḥalāl* things was prohibited. Prohibited now is the use of some *Ḥarām* things.

Commentary

Creation of the Universe is for the Benefit of Human Beings

Through these verses, the purpose is to tell that the Master of the Universe has created it to serve human beings. Everything in it has been appointed to take care of their wishes. They are the served ones in this Universe. There is only one restriction placed on them: Do not transgress the limits set by Allah when you benefit from what He has created. Abstaining from good and lawful things made *Ḥalāl* for you is mannerlessness and ingratitude; and the contravention of what has been prohibited in a certain form is disobedience and rebellion. A servant of Allah must make use of what has been created for him or her following the instructions of the Creator and Master. This is the '*abdiyyah*' (the state of being a slave of Allah, which requires total submission to as related to Allah which is the highest possible achievement human beings can look forward to).

The first verse (90) describes the prohibition of four things: (1) Drinking, (2) Gambling, (3) Idols and (4) Divining Arrows. Another verse on this subject in almost similar words has appeared in Sūrah al-Baqarah as well [Ma'arif-ul-Qur'an, Volume I, Verse 2:219, Pages 539-553]. There too, as here, these four things have been called "*Rijs*" (filth). In the Arabic language, the word "*Rijs*" refers to something foul, which is

disgusting for human taste. All four things mentioned here are, for anyone with commonsense and good taste, repulsive and disgusting.

An Explanation of "Al-Azlām"

One of the four things is *Azlām* which is the plural of *Zalam*. *Azlām* is the name of the arrows which were used to draw lots in gambling, an Arab practice at that time. The custom was that ten people would get together as partners and slaughter a camel. Then, rather than distribute ten equal shares from the meat to each participant, they had a way of gambling with the exercise. They had ten arrows, out of which they would pick out seven and mark them out with signs indicating the number of some shares on each - some arrow would have one, others would have two or three. The three remaining arrows were kept blank. They would put all these arrows in the quiver and give it a good shake. Then, for every participant, they would draw out one arrow from the quiver. If the arrow so drawn had a certain number of shares marked on it, the recipient of the arrow became deserving of that many shares. Whoever drew a blank arrow in his name would remain deprived of a share. This is similar to many kinds of lottery-based games and enterprises common today. Drawing lots in this manner is *Qimār* or gambling which is *Haram* according to the Qur'an.

The Permissible Way of Drawing Lots

However, there is one way of drawing lots which is permissible, and proved from the Holy Prophet صلى الله عليه وسلم. According to this method, when the rights everyone has are equal and the shares too have been distributed equally, then, the shares can be determined by drawing lots. Let us take an example - a house has to be divided among four sharers so we come up with four equal shares in terms of the price. Now, we have to determine as to who keeps which share. If it cannot be done by mutual compromise and consent, it is also possible that we can settle this by drawing lots whereby whoever gets a certain portion of the house as his share may have it. Or, the number of people eager to have something is one thousand, and the rights everyone has are equal, but the number of what has to be distributed is only one hundred. In this condition, the matter can be decided by drawing lots.

As for the prohibition of the pagan custom of distributing meat by

drawing of lots through divining arrows, it has already appeared in a verse of Sūrah al-Mā'idah itself, that is: وَأَنْ تَسْتَقْسِمُوا بِالْأَزْلَامِ (and that you determine shares through the arrows - 5:3).

In short, two out of the four things declared Ḥarām in this verse, that is, 'Maisir' (gambling) and 'Azlām' (divining arrows), in terms of the outcome, are just the same. As for 'Anṣāb' (altar-stones), the word *Al-Anṣāb* is the plural of *Nuṣub*. It refers to what has been made to stand as an object of worship, whether an idol, a stone or tree.

Physical and Spiritual Disorders Caused by Drinking and Gambling

The main objective in this verse, as evident from the background of its revelation and the verse which follows it, is to indicate that drinking and gambling, being agencies of corruption, have been made Ḥarām. The addition of altar-stones or idols to this list is there for listeners to understand that this matter of drinking and gambling is as serious a crime as the worship of idols.

In a *Ḥadīth* from Ibn Mājah, the Holy Prophet صلى الله عليه وسلم is reported to have said: شَارِبُ الْخَمْرِ كَعَابِدِ الْوُثْنِ, that is, one who drinks is (a criminal) like the one who worships idols. In some narrations, the words appear as: شَارِبُ الْخَمْرِ كَعَابِدِ اللَّاتِ وَالْعُزَّى, that is, one who drinks is like the one who worships (the idols) *Al-Laāt* and *Al-'Uzza*.

In brief, by saying: رَجَسَ مِنْ عَمَلِ الشَّيْطَانِ that these things are filth, a work of Satan, taken up first were their spiritual ills. The sense is that indulgence in these activities is disgusting. This is a trap of Satan. Whoever walks in never walks out, only to become a victim of many more vices. Then, the command given was: فَاجْتَنِبُوهُ (Therefore, refrain from it) since the nature of these indulgences requires it. In the end it was said: لَعَلَّكُمْ تَفْلَحُونَ (so that you may be successful). It means that one's chances of succeeding and prospering in the present world and in the Hereafter depend on doing just that - abstain.

The second verse (91) describes the physical and outwardly visible defects of drinking and gambling: إِنَّمَا يُرِيدُ الشَّيْطَانُ أَنْ يُوقِعَ بَيْنَكُمْ الْعَدَاوَةَ وَالْبَغْضَاءَ فِي الْخَمْرِ وَالْمَيْسِرِ that is, the Satan wants nothing but to plant enmity and malice between you through drinking and gambling.

In fact, these verses were revealed in the background of events

when actions taken under the influence of hard drinks became the cause of mutual anger and aggression. Things like this do not simply happen by chance. When drunk, man loses reason and would compulsively act in that manner.

So it is with gambling. No doubt, the loser takes the loss on the gambling counter, but malice and anger against the adversary continue influencing his behaviour. Explaining this verse, Sayyidnā Qatādah رحمه الله تعالى says: It was the habit of some Arabs that they would bet all their belongings, even family, and lose them, after which, they would live a sorry life.

Towards the end of the verse, yet another drawback of this addiction has been pointed out in the words: *وَصَدَّكُمْ عَنْ ذِكْرِ اللَّهِ وَعَنِ الصَّلَاةِ* (and to prevent you from the remembrance of Allah, and from Ṣalāh).

Obviously, this is a spiritual harm brought by drinking and gambling which has been mentioned again after mentioning their worldly bad effects. It may be a hint to the fact that the real harm is the spiritual harm, because the real life is the eternal life of the Hereafter for which one should be more careful and concerned. A wise person should take the betterment of that life as the real batterment and the suffering of that life as the real suffering. As for this worldly life, its time span is very limited. Within these limitations, neither good nor bad stand out as something to be proud of or pine about - because both conditions will vanish in a very short time.

It can also be said that negligence towards the *Dhikr* of Allah or the Ṣalāh is harmful both in this world and in the Hereafter and for the body and soul too. That it is harmful for the Hereafter and the soul of a person is all too obvious - one who skips Ṣalāh forgetting all about Allah ruins his life to come and causes his soul to become dead. A little reflection will show that the person heedless to Allah makes his own life a curse for himself. When one turns away from Allah and makes the acquisition of wealth and recognition his ultimate objective in life, they bring so many involvements with them which result in sorrows and concerns. Once in them, one becomes deprived of his chosen objective of peace and comfort through worldly possessions. Thus men of the material are never at peace with or without what they work for in their lives. In contrast to them is one whose heart is lit with the

thought of his Creator and the bliss of his Ṣalāh. Wealth and power and office come to him with all peace and comfort they can bring. But, if they go away, nothing happens to their hearts. They are not affected by the change, for things are no happiness and losses are no sorrow as they are visiting guests of the doers of the right.

In short, if we were to think about the neglect of the *Dhikr* of Allah and the Ṣalāh, we shall come to the conclusion that its effects are equally bad for our life in the present world as well as in that of the Hereafter. Therefore, it is possible that by saying: رَجَسَ مِنْ عَمَلِ الشَّيْطَانِ (... filth, a work of Satan), the purpose could be to state the other-worldly and spiritual harmfulness exclusively; and by saying: يُؤْفِقُ بَيْنَكُمْ الْعَدَاوَةَ وَالْبَغْضَاءَ (Satan wants nothing but to plant enmity and malice between you), the aim could be to point out to worldly and physical evils exclusively; and by saying: يَصُدُّكُمْ عَنْ ذِكْرِ اللَّهِ وَعَنِ الصَّلَاةِ (to prevent you from the remembrance of Allah, and the Ṣalāh), the objective could be to mention the total destruction of the life in this world and in the Hereafter both.

It will be noticed here that Ṣalāh has been mentioned separately - though, Ṣalāh is a part of the *Dhikr* of Allah. What is the wisdom behind mentioning Ṣalāh distinctly? The answer is that Ṣalāh has been mentioned separately because the text aims to indicate that Ṣalāh is important in its own place and certainly the superiormost among all kinds of *Dhikrullāh* (the remembrance of Allah).

After having described the physical and spiritual drawbacks of drinking and gambling, the way in which people have been asked to stay away from these indulgences is certainly disarming and heart-winning. It is said: فَهَلْ أَنْتُمْ مُنْتَهُونَ (Would you, then, abstain?).

Described in the first two verses (90,91) was the unlawfulness of drinking and gambling, and its strict prohibition - an article of Divine Law, so to say. To make the word of law easy to act upon, it is in the third verse (92) that the Holy Qur'an, in its characteristic way with words, has this to say:

وَأَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَاحْذَرُوا فَإِنْ تَوَلَّيْتُمْ فَأَعْلَمُوا أَنَّكُمْ عَلَى
رَسُولِنَا أَلْبَلٌ أَلْبَلٌ أَلْبَلٌ

And obey Allah and obey the Messenger, and be careful. If you turn back, be sure that the duty of Our Messenger is only

to convey the Message clearly.

The lesson to be learnt is that the command to obey Allah and His Messenger is in one's own interest, and benefit. If one does not listen to the good counsel, their action brings no loss to Allah *Jalla Sha'nuhū* or to His Messenger. That Allah is far above any gain or loss was quite obvious, but in the case of the Messenger someone might have thought that a refusal to listen to him might affect or lessen the degree of his reward or station. To remove this doubt, it was said: *يَا نَوَلَيْكُمْ فَاَعْلَمُوا* It means: Even if none of you were to listen to and obey Our Messenger, it would still not make any difference to his integrity and station because he has completed the mission entrusted with him. His mission was to convey the commands of Allah Ta'ālā, openly and clearly. This he has accomplished. Now, after that, whoever chooses not to obey him will bring loss on his or her person - Our Messenger has nothing to lose in this case.

Verses 93 - 96

كَيْسَ عَلَى الَّذِينَ آمَنُوا وَعَمِلُوا الصَّالِحَاتِ جُنَاحٌ فِيمَا طَعُمُوا
إِذَا مَا اتَّقَوْا وَآمَنُوا وَعَمِلُوا الصَّالِحَاتِ ثُمَّ اتَّقَوْا وَآمَنُوا ثُمَّ
اتَّقَوْا وَأَحْسِنُوا ۗ وَاللَّهُ يُحِبُّ الْمُحْسِنِينَ ﴿٩٣﴾ يَا أَيُّهَا الَّذِينَ
آمَنُوا كَيْبَلُونَكُمْ اللَّهُ بِشَيْءٍ مِّنَ الصَّيْدِ تَنَالَهُ أَيْدِيكُمْ
وَرِمَاحُكُمْ لِيَعْلَمَ اللَّهُ مَن يَخَافُهُ بِالْغَيْبِ ۚ فَمَنِ اعْتَدَىٰ بَعْدَ
ذَلِكَ فَلَهُ عَذَابٌ أَلِيمٌ ﴿٩٤﴾ يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَقْتُلُوا
الصَّيْدَ وَأَنْتُمْ حُرْمٌ ۖ وَمَن قَتَلَهُ مِنْكُم مُّتَعَمِّدًا فَجَزَاءٌ مِّثْلُ مَا
قَتَلَ مِنَ النَّعَمِ يَحْكُمُ بِهِ ذَوَا عَدْلٍ مِّنكُمْ هَدْيًا بَالِغَ الْكَعْبَةِ أَوْ
كَفَّارَةٌ طَعَامُ مَسْكِينٍ أَوْ عَدْلُ ذَلِكَ صِيَامًا لِّيَذُوقَ وَبَالَ
أَمْرِهِ ۗ عَفَا اللَّهُ عَمَّا سَلَفَ ۚ وَمَنْ عَادَ فَيَنْتَقِمِ اللَّهُ مِنْهُ ۗ وَاللَّهُ
عَزِيزٌ ذُو انْتِقَامٍ ﴿٩٥﴾ أَجَلٌ لَّكُمْ صَيْدُ الْبَحْرِ وَطَعَامُهُ مَتَاعًا
لَّكُمْ وَلِلْسَّيَّارَةِ ۚ وَحُرِّمَ عَلَيْكُمْ صَيْدُ الْبَرِّ مَا دُمْتُمْ حُرْمًا
وَاتَّقُوا اللَّهَ الَّذِي إِلَيْهِ تُحْشَرُونَ ﴿٩٦﴾

There is no sin for those who believe and do good deeds, in what they might have eaten earlier, if they fear Allah and believe and do good deeds, again fear Allah and believe, and still again fear Allah and become good in deeds. And Allah loves those who are good in deeds. [93]

O those who believe, Allah shall certainly test you with some of the game coming in the range of your hands and spears, so that Allah may know those who fear Him while unseen. So whoever crosses the limit after all this, for him there is a painful punishment. [94]

O those who believe, do not kill game when, you are in *Iḥrām* (state of consecration for Hajj or 'Umrah). And whoever, from among you, kills it deliberately, then, a compensation from the cattle (is obligatory) equal to what he has killed according to the judgement of two just men from among you, an offering due to reach the Ka'bah, or an expiation, that is, to feed the poor, or its equal in fasts, so that he may feel the burden of what he did. Allah has forgiven what has passed. And whoever does it again, Allah shall subject him to retribution. Allah is Mighty, Lord of Retribution. [95]

The game of the sea and its eating has been made lawful for you, something of benefit to you and to the travellers. And the game of the land has been made unlawful for you as long as you are in *Iḥrām*. And fear Allah towards Whom you are going to be gathered. [96]

Sequence of Verses

A report from Sayyidnā Abū Hurairah رضى الله عنه appearing in the Musnad of Aḥmad, quoted in Al-Lubāb, says: When the Verse forbidding drinking and gambling had been revealed, some people asked the Holy Prophet صلى الله عليه وسلم that there were many people who drank wine and lived off earnings from gambling and then died before these were forbidden. What would happen to them, now that we know about these being *Haram*? Thereupon, the verse : **لَيْسَ عَلَى الَّذِينَ آمَنُوا** (On those who believe and do good deeds, there is no sin ...) was revealed.

In a verse appearing earlier (87): **يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَحْرِمُوا طَيِّبَاتِ** (O those who believe, do not make unlawful good things ...), the making of good things unlawful was prohibited. Now, in the verse (94) : **يَا أَيُّهَا الَّذِينَ آمَنُوا**

يَبْلُوَكُمْ اللَّهُ بِشَيْءٍ (O those who believe, Allah shall certainly test you with some ...), it is said that it is Allah Who has that absolute power to declare particular things unlawful in particular circumstances. (Bayān al-Qur'ān)

Commentary

Scholars have said that there are several degrees of *Taqwā* (abstaining from what is likely to harm the purity of one's faith). Similarly, the degrees of faith and belief are also different in terms of personal strength and weakness. The touchstone of experience and the inviolable authority of the Shari'ah both prove that the more one progresses in the remembrance of Allah (*Dhikr*), concern for life here and hereafter (*Fikr*), good deeds (*Al-'Amalus-Sālīh*) and *Jihād* in the way of Allah (*Al-Jihād fī Sabīlillāh*), the more filled his heart is with the fear of Allah and the awe of His greatness and majesty, with his faith and belief becoming firm and fortified more than ever. Thus, there are degrees of one's ascent onto the pathways of Allah (referred to as *Sayr-ilallāh* by spiritual masters). The considered repetition in verse 93 of the basis of *Taqwā* (fear of Allah) and *'Imān* (faith) is a pointer in this direction. Finally, at the end of the verse, what stands identified is the seeker's last station - *Ihsān* (righteousness at its best) - and the reward for it too, which is, the love of Allah. (Tafsīr Usmānī)

Rulings:

1. The game (*Ṣayd*) which is Ḥarām (unlawful) in the Ḥaram (the precincts of the Sacred Mosque) and in *Ihrām* (the state of consecration for Ḥajj or 'Umrah) is general in sense. It may be eatable, that is, a *Ḥalāl* (lawful) animal, or one uneatable, that is, a Ḥarām (unlawful) animal (as generalized in the verse).
2. *Ṣayd*, that is, game, is the name of animals which are wild and who habitually do not live close to human beings. Thus, as for those which are naturally domesticated, such as, sheep, goats, cows and camels, slaughtering and eating them in *Ihrām* is correct.
3. However, animals that have been exempted by a specific rule can be trapped and killed. It is *Ḥalāl*, for example, the hunting

of sea (or water) game as permitted by Allah Ta'ālā: أَجَلَ لَكُمْ صَيْدُ الْبَحْرِ (lawful for you is the game of the sea). This applies to some land animals, crawlers and birds as well, such as, the wolf, the biting dog, the crow, the kite, the snake and the scorpion. Similarly, permissible is the killing of an attacking beast. Their exemption has been mentioned in *Ḥadīth*. This tells us that the letter *Alif-Lām* in 'الصَّيْدُ' (Al-Ṣayd - 5:95) is that of 'Ahd'.¹

4. It is permissible for a *Muhrim* (person in *Iḥrām*) to eat from *Ḥalāl* game which has been hunted in a state other than that of *Iḥrām* and in a place other than that of the sacred precincts of the Ḥaram - subject to the condition that this person (in *Iḥrām*) has not been an assistant or adviser or guide in the hunting and killing of that game. This is exactly what the *Ḥadīth* says. In addition to that, there is an indication towards this rule in the words: لَا تَقْتُلُوا (lā taqtulū: do not kill) in this verse (95) - because what is said here is "lā taqtulū" (do not kill) and not 'lā ta'kulū' (do not eat).
5. The way it is obligatory (*Wājib*) to pay compensation (*Jazā'*) against killing land game in the sacred precincts of the Ḥaram (Sacred Mosque) intentionally, similarly, it is also obligatory (*Wājib*) if done by mistake or forgetfulness. (As deduced in *Ruḥ al-Ma'ānī*)
6. The compensation (*Jazā'*) which becomes obligatory (*Wājib*) the first time shall remain equally obligatory (*Wājib*) in such killing a second or a third time as well.
7. The substance of the compensation (*Jazā'*) is that, after having determined the (facts of) time and place of the killing of this animal, one should get an estimate of the cost of this animal from two just person, which is better, but, it is also permissible that he can have only one just person do it. Then, there are other details: If the killed animal is inedible (that is, Ḥarām), then, this obligatory cost will not be more than the cost of a she-goat.

1. The *Lām* of 'Ahd indicates that the word is used in a restricted sense and not in a general sense. Here it means that all types of games are not prohibited, but the prohibition is restricted to some of them. (Muḥammad Taqī Usmānī)

And if the animal was edible (that is, *Ḥalāl*), then, whatever the estimate (of cost), the whole of it will be obligatory (*Wājib*). Now, beyond these two situations, he has three options: (1) Whether he buys an animal at this price keeping in view the (standard) conditions which govern a sacrificial animal, and after slaughtering it properly within the sacred precincts of the *Ḥaram* (the Sacred Mosque and its environs), distributes it to persons poor and needy; or, (2) gives grains equivalent to the price of the animal, in accordance with the conditions of *Sadaqatul-Fitr*, at the rate of $1/2 \text{ } \bar{\text{Ṣā}}$ per poor and needy person; or, (3) keeps as many fasts as would be the number of poor and needy persons to whom the amount of grains could reach at the rate of $1/2 \text{ } \bar{\text{Ṣā}}$ per person. As for the distribution of the grains and the keeping of fasts, there is no restriction that these be done within the sacred precincts of the *Ḥaram*. And in case the obligatory (*Wājib*) amount is a price less than $1/2 \text{ } \bar{\text{Ṣā}}$, then, one has the choice of either giving it to a poor and needy person, or keep a fast. Similarly, if one is left with less than $1/2 \text{ } \bar{\text{Ṣā}}$ even after giving at the rate of $1/2 \text{ } \bar{\text{Ṣā}}$ per poor and needy person, still then, one has the choice of either giving the remainder to one poor and needy person, or keep a fast. The weight of $1/2 \text{ } \bar{\text{Ṣā}}$ is the equivalent of 1.75 Seers or 1.62 kg. approximately (usually rounded as a matter of precaution).

8. If in lieu of giving the share of the number of poor and needy persons arrived at in the said estimate, one were to feed them two meals of the day, to their fill and satisfaction, that too will be permissible.
9. If an animal matching the cost arrived at in the estimate was selected for slaughter - but, some amount was left over - then, in this remainder, one has the choice of either buying another animal, or giving grain against it, or fasting in terms of the distributability of the grains. As compensation (*Jazā'*) is obligatory in killing, similarly, in the case of such an animal becoming wounded, an estimate would have to be taken to determine how low the price of the animal has become as a result of its being wounded. Once again, in this amount of the cost, the same

three options will be permissible.

10. The animal the hunting of which is Ḥarām (unlawful) for a *Muḥrim* (one in the consecrated state of *Iḥrām*), its slaughtering is Ḥarām too. If the *Muḥrim* were to slaughter it, its legal status will be that of carrion, dead animal. (In *'lā-taqtulū*: [do not kill] there is a hint towards slaughter being like killing).
11. If the place where the animal was killed was a forest, then, the estimate will be made in terms of the habitation close to it.
12. Pointing to, guiding along or assisting in hunting is Ḥarām (unlawful) as hunting itself.

Verses 97 - 100

جَعَلَ اللَّهُ الْكَعْبَةَ الْبَيْتَ الْحَرَامَ قِيَمًا لِلنَّاسِ وَالشَّهْرَ الْحَرَامَ
وَالْهَدْيَ وَالْقَلَائِدَ ذَلِكَ لِتَعْلَمُوا أَنَّ اللَّهَ يَعْلَمُ مَا فِي
السَّمَوَاتِ وَمَا فِي الْأَرْضِ وَأَنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ ﴿٩٧﴾
إِعْلَمُوا أَنَّ اللَّهَ شَدِيدُ الْعِقَابِ وَأَنَّ اللَّهَ غَفُورٌ رَحِيمٌ ﴿٩٨﴾
مَا عَلَى الرَّسُولِ إِلَّا الْبَلَاغُ وَاللَّهُ يَعْلَمُ مَا تُبْدُونَ وَمَا تَكْتُمُونَ
﴿٩٩﴾ قُلْ لَا يَسْتَوِي الْخَبِيثُ وَالطَّيِّبُ وَلَوْ أَعْجَبَكَ كَثْرَةُ
الْخَبِيثِ فَاتَّقُوا اللَّهَ يَأُولِي الْأَلْبَابِ لَعَلَّكُمْ تُفْلِحُونَ ﴿١٠٠﴾

Allah has made Ka'bah, the Sacred House, a source of stability for the people, and the sacred month and the sacrificial animal and the garlands. All this so that you may learn that Allah knows what is in the heavens and what is in the earth, and that Allah is All-Knowing in respect of everything. [97] Be sure that Allah is severe in punishment and that Allah is Very Forgiving, Very Merciful. [98]

The duty of Our Messenger is only to convey the Message. And Allah knows what you disclose and what you conceal. [99]

Say, "The bad and the good are not equal, even though you are attracted by the profusion of the bad. So, fear

Allah, O men of understanding, that you may be successful." [100]

Commentary

Four Sources of Tranquility

The first verse (97) mentions four things as the cause of constancy, survival and tranquility for people.

The first is the Ka'bah. In Arabic, Ka'bah is the name of a place which is square. Another house made by the Arab tribe of *Khath'am* carried the same name, that is, *al-Ka'bah-al-Yamāniyah*, to be exact. Therefore, to distinguish the *Baytullah* (House of Allah) from this place, the words: *الْبَيْتُ الْحَرَامُ* (Al-Baytul-Ḥarām: The Sacred House) were added to the name of the Ka'bah.

The word "*Qiyām*" and *Qiwām* are verbal nouns. They refer to that on which the stability and survival of something depends. Therefore, "*رَبِّمَا لِلنَّاسِ*" in the text comes to mean that the Ka'bah and its adjuncts are the cause and source of the stability and survival of people.

Lexically, the word: *النَّاسِ* (*annās*) is used for people in general. At this place, because of the topical context, they could mean the people of Makkah proper, or the people of Arabia and the peoples of the world as well. Obviously, it includes human beings of the whole world - however, the people of Makkah and the people of Arabia do have a unique status. Therefore, the sense of the verse would be that Allah Ta'ālā has made *Ka'batullah* (The Ka'bah of Allah) and what is mentioned later, the source of stability, survival and tranquility for people. As long as people of the world from each country, each region and each direction keep turning their orientation towards *Baytullah* to say their Ṣalāh, and the Ḥajj of *Baytullah* continues to be performed by those on whom its performance has become obligatory (*farḍ*) - until then, this whole world will keep going and stay safe. And if, there ever comes that fatal year when no one makes Ḥajj, or no one turns towards *Baytullah* to offer Ṣalāh, then, the whole world will be overtaken by mass Punishment.

Baytullah is the Mainstay of the Universe

The respected master of Tafsīr, 'Atā' has stated the subject in the words which follow: *لوتركوه عاماً واحدا لم ينظروا ولم يؤخروا* (Al-Baḥr Al-Muḥīṭ). This

tells us that, significance-wise, *Baytullah* is the pillar of this whole world. As long as people keep turning towards it and Ḥajj keeps being performed, the world will stay. And if, this reverence of *Baytullah* were to terminate at some time, the world will also be terminated. However, there remains the question: What is the connection and linkage between the universal system and *Baytullah*? But then, knowing its reality is not necessary - who knows the reality behind the mutual connection of magnet and iron and lightening and straw? But, it is a reality proved through observation. It cannot be rejected. The comprehension of the reality of the mutual linkage between *Baytullah* and the universal system is also not within the reach and control of mortal man. That can be known only when the Creator of the universe tells us about it. That *Baytullah* is the cause of the survival of the whole universe is a thing of the spirit. Physical insight or formal research cannot reach it. But, its being the cause of peace and tranquility for Arabia and the people of Makkah stands proved by long experiences and observations.

***Baytullah* : Symbol and Substance of Peace**

Peace is generally maintained in the world through government laws and its implementation. That is why robbers, thieves, killers and plunderers do not dare. But, during the Arab *Jāhiliyyah*, there was no formal government nor was there some general law to maintain public peace. Whatever political system there was, it was based on tribal considerations. One tribe could attack the life, property and honour of another tribe anytime at its choice. Therefore, no tribe had the occasion to enjoy peace and tranquility any time. Allah Almighty, with His perfect power, made the *Baytullah* in Makkah al-Mukarramah stand as a regular government ushering peace and tranquility. As anyone in his right frame of mind would not dare breaking the law of a strong government in our day, so it was, even during those days of ignorance, that Allah Almighty had impinged the reverence of the *Baytullah* on the hearts of common people in a manner that they would throw all their personal desires and emotions behind their backs when it came to upholding its honour and station.

So, this was Arab *Jāhiliyyah*, the so called Age of Ignorance, proverbial for tribal prejudices and long drawn wars. But, such was the reverence for *Baytullah* and its adjuncts which Allah had placed in their hearts that they would say just nothing to even their sworn enemy despite their anger and chagrin - if the enemy had entered the Ḥaram. A son who met the killer of his father in the Ḥaram would lower his gaze and walk away from him.

Similarly, as much respect was also given to a person who had embarked on his Ḥajj and 'Umrah or who had been carrying animals for sacrifice in the Ḥaram. The result was that even the worst person around would not hurt him in anyway - to the limit that they would say nothing to even a sworn enemy if he was in a condition when signs of his being on Ḥajj and 'Umrah, such as the garments of *Iḥrām* or garlands, were all too visible.

Take an example. The year was Hijrah 6. The Holy Prophet صلى الله عليه وسلم accompanied by a group of his Ṣaḥābah entered into the *Iḥrām* of 'Umrah and started for his journey towards *Baytullah*. He stopped at Hudaybiyah close to the Ḥaram limits and sent Sayyidnā 'Uthmān al-Ghanī رضى الله عنه to Makkah alongwith some colleagues so that they can tell the chiefs of Makkah that Muslims have come at this time not for fighting but for performing 'Umrah, therefore, they should not be obstructed.

It was after a good deal of debate that they sent a representative of theirs to the Holy Prophet صلى الله عليه وسلم. When he saw him, he said: This person is an upholder of the sanctities of *Baytullah*, therefore, the sacrificial animals marked for sacrifice should be brought before him. When the representative saw these sacrificial animals, he conceded that such people should never be stopped from going to *Baytullah*.

So, as said earlier, Allah Almighty had placed such awe of the venerated Ḥaram - even during the days of *Jahiliyyah* - that it became the very cause and source of peace and tranquility. As a direct result of this reverence, only those who either went in and out of Ḥaram, or those who came for their Ḥajj and 'Umrah with some sign of the intended pilgrimage on them, were the ones who remained protected - outsiders did not benefit from this peace and tranquility. But, in Arabia itself, the way they honoured the site of *Baytullah* and its environs

universally, they would also give equal respect to the months of Ḥajj. They called these, the Sacred Months. Some had included the month of Rajab along with them. During these months, fighting and killing - even outside the Ḥaram - was considered by the whole Arabia as prohibited, from which they would abstain.

1. Therefore, the Holy Qur'ān has included three more things as being *قِيَمًا لِلنَّاسِ* (stability for people) alongwith the Ka'bah. The first is: *الشَّهْرُ الْحَرَامُ*, that is, the Sacred Month. Since the word, *شَهْرٌ* (*shahr*: month) has been placed here in its singular form, most commentators say that it means the month of Dhul-Ḥijjah at this place, the month during which the rites of Ḥajj are performed. Some commentators have said that, though the word used is singular, but it signifies category whereby all Sacred Months are included here.

2. Mentioned secondly is "*al-hady*" which refers to an animal sacrificed in Ḥaram. It was common Arab practice not to check and obstruct anyone carrying such sacrificial animals who could travel on in peace and be able to do what he intended to do. Thus, 'sacrificial animals' also became a cause of the establishment of peace.

3. The third thing is "*Al-Qalā'id*." The word is the plural form of *Qilādah*. It means a garland. There was a custom in the age of Arab *Jāhiliyyah* that a person who went out for Ḥajj would put a garland round his neck as a sign so that people may know that here was someone going for Ḥajj and that he should not be molested. Similarly, they would put garlands round the necks of their sacrificial animals too. These were also known as the *Qalā'id*. So, the *Qalā'id* also became a source of peace and tranquility.

A little thought will show that 'the sacred month,' 'the sacrificial animal,' and 'the *Qalā'id*' are all adjuncts or auxiliaries of the *Baytullah*. Reverence for them is part of the reverence of *Baytullah*. Allah Ta'ālā has made the combination of these a source of stability (even constancy and resilience) in all matters relating to the worldly and otherworldly life of the people of Arabia, and that of the people of Makkah particularly - as well as, for all humanity in general.

While explaining the expression: *قِيَمًا لِلنَّاسِ* (stability for people), some commentators have said that it means that the *Baytullah* and the Sa-

cred Haram around it has been made a place of peace for everyone. Others have said that it refers to the extended means of sustenance for the people of Makkah, for what is not grown or made there indigenously keeps reaching them from all over the world by the grace of Allah Ta'ālā. Still some others have said that people of Makkah known as the custodians of *Baytullah* were held in great esteem as special people serving the House of Allah, therefore, it is the particular distinction of these people which has been identified in the Qur'ānic expression translated as 'stability for people.'

Imām al-Razī has said that there is no contradiction in all these sayings which are included within the sense of قِيَامًا لِلنَّاسِ (stability for people) since Allah Ta'ālā has made *Baytullah* the source of betterment, prosperity and success (both materially and spiritually) for the stay, survival, stability, sustenance and return (to it, as well as, through it to the final destination of the Hereafter) for all peoples. And as for the people of Arabia, particularly those of Makkah, they have been blessed by Allah with its outward and inward blessings.

At the end of the verse, it was said: ذَٰلِكَ لِتَعْلَمُوا أَنَّ اللَّهَ يَعْلَمُ مَا فِي السَّمَوَاتِ وَمَا فِي الْأَرْضِ وَأَنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ (All this so that you may learn that Allah knows what is in the heavens and what is in the earth, and that Allah is All-Knowing in respect of everything). It means that Allah has made *Baytullah* and its adjuncts the source of stability, survival, peace and tranquility for people, something the people of Arabia keep witnessing particularly. This has been said so that everyone should know that Allah Ta'ālā knows everything in the earth and the heavens and He alone is capable of managing and administering it.

In the second verse (98), it was said: وَاعْلَمُوا أَنَّ اللَّهَ شَدِيدُ الْعِقَابِ وَأَنَّ اللَّهَ غَفُورٌ رَّحِيمٌ (Be sure that Allah is severe in punishment and that Allah is Most Forgiving, Very Merciful). This is telling us that the prescribed injunctions of *Halāl* (lawful) and *Harām* (unlawful) are based on ideal wisdom and consideration. As long as they are obeyed and followed, they would bring nothing but good for the person who does just that. However, electing to do what is contrary to them is nothing but embracing the worst of curse and punishment. Along with the warning, it was also said that, should someone commit a sin forgetfully or heedlessly, then, Allah Ta'ālā does not punish instantly, instead of which, the

doors of Allah's forgiveness stay open for those who repent and feel ashamed of what they have done.

In the third verse (99), it was said: مَا عَلَى الرَّسُولِ إِلَّا الْبَلَاغُ وَاللَّهُ يَعْلَمُ مَا تُبْدُونَ وَمَا تَكْتُمُونَ that is, the duty of Our Messenger is only to convey Our *Aḥkām* (injunctions) to people created by Us. After that, whether they accept and believe, or reject and disbelieve, its profit and loss reaches only them. That they disbelieve brings no loss to Our Messenger. And let this be understood that Allah cannot be deceived for He knows everything done by anybody, openly or secretly.

In the fourth verse (100), it was said: قُلْ لَا يَسْتَوِي الْخَبِيثُ وَالطَّيِّبُ (Say, "The bad and the good are not equal ..."). In Arabic, the words "*Ṭayyib*" and "*Khabīṭh*" are antonyms. *Ṭayyib* refers to what is the best and purest in everything and *Khabīṭh* to what is the most condemned and evil. In this verse, as held by the majority of commentators, *Khabīṭh* means *Ḥarām* or impure, while *Ṭayyib* means *Ḥalāl* and pure. Thus, the verse would come to mean that with Allah Ta'ālā, rather with everyone having sound reason and good taste, pure and impure or *Ḥalāl* and *Ḥarām* cannot be equal.

In view of the general sense of *Khabīṭh* and *Ṭayyib* at this place, it is inclusive of wealth and property which is *Ḥalāl* or *Ḥarām*, and human beings who are good or bad, and deeds and morals which are virtuous or vicious, all of the three. The sense of the verse is clear from the truth that good and bad are not equal. According to this natural law, *Ḥalāl* and *Ḥarām* and pure and impure things are not equal in the sight of Allah Ta'ālā, similar to which, also not equal are good and bad deeds and morals, similarly again, also not equal are virtuous and vicious human beings.

Following immediately in this verse (100), it was said: وَلَوْ أَعْجَبَكَ كَثْرَةُ الْخَبِيثِ (even though you are attracted by the profusion of the bad). It means that, though onlookers are sometimes awed by the abundance of things evil and impure, they would even go on to take these very things to be good just because they have spread out all over and because they seem to be winning the day, but, this is only a disease of human knowledge and consciousness, and certainly a shortcoming of the inherent feeling for the right.

The Background of the Revelation of the Verse

Reporting the background of the revelation of this verse, some narrations say that when liquor, and its buying and selling too, was prohibited in Islam, a dealer in liquor who had some cash savings from that business asked the Holy Prophet صلى الله عليه وسلم: *Yā Rasūl Allah*, I have with me this saving from my liquor business, if I were to spend this in some good and pious cause, would that be beneficial for me? The Holy Prophet صلى الله عليه وسلم said: If you will spend it in *Jihād* or *Ḥajj* or something similar, it would not even be worth the weight of the tiny feather of a mosquito, for Allah Ta'ālā does not accept anything other than what is pure and *Ḥalāl* (lawful).

This devaluation and depreciation of wealth is in terms of the Hereafter. If we look a little deeper and keep the ultimate end of things in sight, we shall discover that *Ḥalāl* and *Ḥarām* wealth or property are not equal even in the businesses of this mortal world. The kind of benefits, favourable consequences, real comfort and bliss which come through *Ḥalāl*, never do and never can come from *Ḥarām*.

Citing Ibn Abī Ḥātim, Tafsīr Al-Durr Al-Manthūr reports that when Sayyidnā 'Umar ibn 'Abd Al-'Azīz, the rightly-guided Khalīfah of the age of the *Tābi'in*, stopped impermissible taxes imposed by the oligarchy before him, returned monies and properties taken illegally to the rightful owners, the government treasury became empty and the graph of usual income came very low. Then, the governor of a province wrote a letter to him in which he complained about the low income of the public treasury and asked him as to how would the affairs of the government run under such circumstances. Sayyidnā 'Umar ibn 'Abd al-'Azīz رحمه الله عليه answered him by quoting this very verse: لَا يَسْتَوِي الْخَبِيثُ وَالطَّيِّبُ وَلَوْ أَعْجَبَكَ كَثْرَةُ الْخَبِيثِ (The bad and the good are not equal, even though you are attracted by the profusion of the bad). He also wrote: People before you had used injustice and oppression to fill the treasury, now you match it by establishing equity and justice and let the holding of your treasury stand reduced. And do not care. The expenditures of our government shall be met within this reduced income.

Though the cause of the revelation of this verse is a particular event, the basic message of the verse is that numbers being low or high do not mean much. Matters cannot be measured by majority and

minority and a human hand-count of fifty one against forty nine cannot go on to become the touchstone of that which is right and true.

In fact, if we were to even casually look into the state of affairs prevailing around every section of society in the world, then, we shall see less of good and more of evil. Compare belief with disbelief; godliness, purity, honesty and trust with sinfulness and debauchery; justice and equity with injustice and oppression; knowledge with ignorance; reason with unreason - one is bound to find more of the later in all these comparisons. This leads us to become certain that the numerical abundance of some thing, group or party cannot be an absolute proof of its being good or true. Instead of that, the good in that thing or group or party depends on relevant particulars and states. If they are good, they are good, and if they are bad, they are bad. This is the reality the Holy Qur'ān has stated clearly by saying: وَلَوْ أَعْجَبَكَ كَثْرَةُ الْخَبِيثِ (even though you are attracted by the profusion of the bad).

Of course, Islam too has declared numerical majority to be decisive on some occasions, and that too where there be no ruling authority competent enough to decide by the power of argument and the assessment of intrinsic qualities. On occasions like this, in order to resolve the disputes among masses of people, majority vote is resorted to. Take the example of the problem of appointing an Imām or leader in a situation when there is no Imām or Amīr or leader present to give a decision. Therefore, on some occasions, majority opinion has been preferred to ward off possible dispute and resolve matters peacefully. It never means that what has been adopted by a majority of people should become Ḥalāl and permissible and true.

At the end of the verse it was said: فَاتَّقُوا اللَّهَ يَا أُولِي الْأَلْبَابِ (So, fear Allah, O men of understanding). By addressing the men of understanding this verse indicates that it is not the attitude of the men of wisdom to be attracted to something because of its numerical or quantitative abundance, or to take the majority as the touchstone of what is true and correct. Intelligent people would not do something like that. Therefore, it is to caution all people of understanding against these attitudes that they have been commanded with: فَاتَّقُوا اللَّهَ (fear Allah).

Verses 101 - 103

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَسْأَلُوا عَنْ أَشْيَاءٍ إِنْ تُبَدَّ لَكُمْ تَسْأَلُكُمْ
وَأَنْ تَسْأَلُوا عَنْهَا حِينَ يُنَزَّلَ الْقُرْآنُ تُبَدَّ لَكُمْ عَفَا اللَّهُ
عَنْهَا وَاللَّهُ غَفُورٌ حَلِيمٌ ﴿١٠١﴾ قَدْ سَأَلَهَا قَوْمٌ مِّنْ قَبْلِكُمْ ثُمَّ
أَصْبَحُوا بِهَا كَافِرِينَ ﴿١٠٢﴾ مَا جَعَلَ اللَّهُ مِنْ بَحِيرَةٍ وَلَا
سَائِبَةٍ وَلَا وَصِيلَةٍ وَلَا حَامٍ ۚ وَلَكِنَّ الَّذِينَ كَفَرُوا يَفْتَرُونَ عَلَى
اللَّهِ الْكُذْبَ ۖ وَآكَثَرُهُمْ لَا يَعْقِلُونَ ﴿١٠٣﴾

O those who believe, do not ask about things which, if disclosed, may displease you; and if you ask about them when the Qur'an is being revealed, they will be disclosed to you. Allah has pardoned you for it. And Allah is Most Forgiving, Forbearing. [101] People before you have asked such questions, then became disbelievers because of it. [102]

Allah has made no *Bahīrah*, no *Sā'ibah*, no *Waṣīlah* and no *Ḥāmī* (names of animals dedicated to idols in *Jāhiliyyah* on different grounds) but those who disbelieve coin a lie against Allah, and most of them do not understand. [103]

Commentary

The Prohibition of Asking Unnecessary Questions

These verses warn people who keep investigating unnecessarily into Divine injunctions. So fond and bent are they in this exercise that they would go to the outer limit of asking questions even about injunctions which have not been prescribed at all and for which there is really no genuine need that they be asked. In this verse, such people have been instructed not to ask questions lest they are subjected to some trial, or they have to face disgrace as a result of the disclosure of their secrets.

The Background of the Revelation

As narrated in Ṣaḥīḥ Muslim, the background or the cause of the revelation of these verses is as follows. When the verse concerning the

obligation of Hajj was revealed, Sayyidnā Al-Aqra' ibn Hābis رضى الله عنه asked: 'Have we been obligated with Hajj every year?' The Holy Prophet صلى الله عليه وسلم did not answer that question. He asked again. The Holy Prophet صلى الله عليه وسلم still remained silent. When he asked a third time, the Holy Prophet صلى الله عليه وسلم reprimanded him by saying: If, in answer to your question, I had said, 'Yes, the Hajj is obligatory every year' - so it would have become, and you would have been unable to do it. After that, he added: Things about which I give you no command, leave them as they are. Do not ask questions by digging and prying into them. Communities before you have been damned eternally through this very proliferation of questioning because they, questions after questions about what Allah and His Messenger did not make obligatory on them, and in consequence of their unnecessary enquiry, these optional things were made obligatory - and then, they got involved in the unfortunate practice of disobeying these. Your established routine should be: Do what I order you to do, with the best of your ability, and leave what I order you not to do (that is, do not dig and pry into things about which no injunctions are given).

There is No *Nubuwwah* (Prophethood) and *Wahy* (Revelation) after the Holy Prophet صلى الله عليه وسلم

It has also been tacitly said in this verse: وَإِنْ تَسْأَلُوا عَنْهَا حِينَ يُنَزَّلُ الْقُرْآنُ تُبْدَى لَكُمْ : 'and if you ask about them while the Qur'an is being revealed, they will be disclosed to you (through revelation).' Here, by restricting it with the time duration of the revelation of the Qur'an, the indication given is that it will be after the completion of the revelation of the Qur'an, that the process of Prophethood (*Nubuwwah*) and Revelation (*Wahy*) will be discontinued.

Though, after the discontinuation of this process of Prophethood and Revelation, the consequences that new injunctions may come, things not obligatory may become obligatory or someone's secret may be disclosed through revelation are not likely to take effect - but, minting unnecessary questions, falling for investigations into them or asking about things for which there is no need, shall still remain prohibited, even after the discontinuation of the process of Prophethood. The reason is simple. This is a waste of time - your own and that of others. The Holy Prophet صلى الله عليه وسلم has said:

مِنْ حُسْنِ إِسْلَامِ الْمَرْءِ تَرْكُهُ مَا لَا يَحْتَاجُهُ

One of the qualities making someone a good Muslim is that one leaves what is unnecessary.

This tells us that many of our brother Muslims who keep investigating into unnecessary subjects, such as, the name of the mother of Sayyidnā Mūsā عليه السلام, or the precise length and breadth of the Ark of Sayyidnā Nūḥ عليه السلام, indulge in what has no effect on one's conduct in life. Therefore, asking such questions is blameworthy - specially when it is already known that people who tend to ask such questions are mostly unaware of the basics of their religion. The problem is that falling for what is wasteful invariably results in making one stay deprived of doing what is necessary. As for the large body of work left by Muslim jurists in which they have answered assumed religious problems and questions, it was not something unnecessary. Later events proved that they were needed by future generations. Therefore, they do not fall under the purview of wasteful or meaningless questions. It is also a part of Islamic teachings that one should not indulge in any activity, whether intellectual or practical, a task or a conversation, and waste precious time through it, unless there is some gain to be made from it in terms of the worldly or other-worldly life.

The Definition of *Baḥīrah* and *Sā'ibah*

The names *Baḥīrah*, *Sā'ibah*, *Waṣīlah* and *Ḥāmī* are connected with customs prevailing during the days of *Jāhiliyyah*. Commentators differ in their exegesis. It is possible that all these words were applied each to a different situation. We limit ourselves to the explanation given by Sayyidnā Sa'īd ibn al-Musa'yyib رضى الله عنه as it appears in the *Ṣaḥīḥ* of Al-Bukhārī:

BAḤĪRAH, an animal the milk from which was dedicated in the name of idols, and was not used by anyone personally.

SĀ'IBAH, an animal which was released in the name of idols, like a bull in some rural areas of our time.

ḤĀMĪ, a male camel having copulated with a particular number, which was also released in the name of idols.

WAṢĪLAH, a she-camel giving birth to female offspring continuous-

ly, uninterrupted by the birth of a male, was also released in the name of idols.

In addition to doing what was *Shirk*, these people were challenging the right of benefiting from the meat of an animal, or its milk, or riding it, declared permissible by Almighty Allah, and placing their own restrictions on their being lawful or unlawful - as if the office of making Divine laws belonged to them! And the cruel joke was that they took these polytheistic customs of theirs to be the source of attaining the pleasure and nearness of Almighty Allah. The answer to this was: Almighty Allah had never appointed these customs. If their elders did it, they fabricated lies against Him, and the ignorant masses accepted them. In short, a two-pronged warning has been given here by saying that the way it is a crime to invite hardships in Divine injunctions by asking purposeless questions, similarly, it is much more serious a crime that one goes about proposing things as *Halāl* or *Harām* based on one's personal opinions and desires without the will and command of the Law-Giver. (Tafsīr Usmānī)

Verse 104 - 105

وَإِذَا قِيلَ لَهُمْ تَعَالَوْا إِلَىٰ مَا أَنزَلَ اللَّهُ وَإِلَى الرَّسُولِ قَالُوا
حَسْبُنَا مَا وَجَدْنَا عَلَيْهِ آبَاءَنَا أَوَلَوْ كَانَ آبَاؤُهُمْ لَا يَعْلَمُونَ
شَيْئًا وَلَا يَهْتَدُونَ ﴿١٠٤﴾ يَا أَيُّهَا الَّذِينَ آمَنُوا عَلَيْكُمْ أَنْفُسَكُمْ
لَا يَضُرُّكُمْ مِّنْ ضَلَّ إِذَا اهْتَدَيْتُمْ إِلَى اللَّهِ مَرْجِعُكُمْ جَمِيعًا
فَنُنَبِّئُكُمْ بِمَا كُنْتُمْ تَعْمَلُونَ ﴿١٠٥﴾

And when it is said to them, "Come to what Allah has sent down, and to the Messenger;" they say, "sufficient for us is what we have found our forefathers on." Is it so, even though their forefathers knew nothing, and had no guidance either? [104]

O those who believe, take care of your own selves. The one who has gone astray cannot harm you, if you are on the right path. To Allah is the return of you all. Then, He will tell you what you have been doing. [105]

Sequence of Verses

Mentioned earlier was one ignorant habit of the disbelievers who were very rigid in their customs. There were many more of such habits which made Muslims grieve. Therefore, the text now addresses Muslims asking them not to worry about others. They have been asked to correct themselves first - and then try to reform others within the limit of what they can do. Onward from there, that their efforts bear fruit is something beyond their control. Therefore, for them the best course is: Do your own job and not the job of others.

Commentary

The Background of the Revelation of the Verses

Following forefathers was one of the many customs of *Jāhiliyyah* which had involved them in all sorts of evils, and equally deprived them of all kinds of virtues too. As reported in the Tafsīr Al-Durr Al-Manthūr from Ibn Abī Ḥatīm, if a lucky person listened to the truth and embraced Islam, he was put to shame on the plea that he had proved his forefathers to be no good since he took to another way at the cost of the way of his forefathers. It was this compounded error of theirs whereupon the following verse was revealed:

وَإِذَا قِيلَ لَهُمْ تَعَالَوْا إِلَىٰ مَا أَنزَلَ اللَّهُ وَإِلَى الرَّسُولِ قَالُوا حَسْبُنَا مَا وَجَدْنَا
عَلَيْهِ آبَاءَنَا

And when it is said to them, "Come to what Allah has sent down, and to the Messenger;" they say, "sufficient for us is what we have found our forefathers on."

In other words, when they were asked to turn to the truth and to the injunctions revealed by Allah Ta'ālā, and to the Messenger who is, in all possible respects, the guarantor of good for them, then, they have no answer to give but that 'the customs on which we found our forefathers are sufficient for us.'

This is the master argument of *Shayṭān* which made millions of people fall into error despite having at least average sense, knowledge and skills. Answering it, the Qur'an said: *أَوَلَوْ كَانَ آبَاؤُهُمْ لَا يَعْلَمُونَ شَيْئًا* (Is it so, even if their forefathers knew nothing ...). For those who would care to ponder, this one sentence of the Qur'an has provided a correct principle to uphold when following a person or group or party - a principle

which brings sight to the unsighted and reality to the ignorant and the heedless. It makes sense if those who do not know follow those who do, the uninitiated follow the experienced and the ignorant follow the learned. But, what does not make sense is that one elects to move away from the standards of knowledge, reason and guidance and ends up making the following of forefathers as preferred practice - without realizing as to where this leader of theirs is and to where would he take them yet having the compulsion to tag along behind him?

This is how some people take a mob of people as the yardstick of right and wrong. Wherever they see a lot of people going, they will start moving in that direction. This too is absurd - because the majority of people in this world is always that of those who are not the wisest or the smartest or the most virtuous in deeds. Therefore, following a mob of people cannot become the criterion of distinction between truth and untruth or good and bad.

Following an Undeserving Leader is Asking for Trouble

This sentence of the Qur'ān gives everyone a clear lesson in wisdom - that none of these criterions are at all sufficient to help in choosing someone as a leader to be followed. The correct attitude is that everyone should first determine the aim of his life and the direction of his journey in it. Then, in order to achieve that purpose, he has to look for a person who has the knowledge of that direction and is himself proceeding to it. When one finds a person like that, then, tagging along behind him can certainly take one all the way to his destination. This is the reality underlying what we know as the *Taqīd* (following) of the *Mujtāhid Imāms*. They know *Dīn* and they follow it too. Therefore, those who do not know can, by following them, achieve the main purpose of religion, that is, the obedience to Allah and His Messenger, and the following of their commands. As for one who is already astray, who does not himself know the destination, or is knowingly going in a direction opposite to the destination, then, following him shall be, in the sight of every wise person, a waste of one's efforts and deeds, rather the signing of one's own warrant of destruction. It is a pity that in the present age of so-called knowledge and enlightenment, even the people of education and foresight are ignoring the fact that the greatest cause of world upheaval is the locked following of leaders who are

incompetent, undeserving, and false.

The Criterion of Leadership

This sentence of the Qur'ān gives two clear criterions of choosing a leader. These are having Knowledge (*ʿIlm*) and Guidance (*Ihtidā*). Knowledge means the knowing of the desired purpose or destination and the knowing of the methods to reach it, while having Guidance means moving towards the chosen objective. Combined together, it would mean constant effort based on sound knowledge.

To explain, it can be said that it is necessary to first find out - before making the choice of a leader - if he is fully conversant with the objectives and methods chosen to be followed. Then, it has to be seen whether he himself is traveling on the same path and in the same direction. And then, it has to be determined whether or not his conduct is in accordance with his knowledge. So, in order to take someone as a leader to be followed, it is necessary to test him on the anvil of sound knowledge and steady conduct. None of the other options based on ancestry and lineage, or being in the lead followed by masses of people, or being wealthy through money or property, or being in power and authority, not one of them is worthy of being considered as the criterion of leadership in the real sense.

An Effective Method of Criticism

At this place, the Qur'ān has pointed out to the error of people who are used to following their ancestral customs blindly. However, right alongwith it, it has told us about an effective method which can be used when needed to identify the error of the other person, so that the addressee is not hurt or provoked. It will be noticed that the comment made in the text is not direct. It does not say that their forefathers were ignorant or astray. Instead of that, it employs a subtle interrogative style in asking if the practice of following one's forefathers could be reasonable in a situation when they did not have either knowledge or guidance.

Comfort for the Reformers of People

In the second verse (105), Muslims who sacrificed a great deal in their concern for reforming people have been comforted by saying that they had done their best to spread the call of truth and they had done their duty of conveying to people what was good for them. Now, if

there were people who chose to stick by their error, that was not for them to worry about for their going astray will bring no loss to them.

It was said:

يَا أَيُّهَا الَّذِينَ آمَنُوا عَلَيْكُمْ أَنْفُسُكُمْ لَا يَضُرُّكُمْ مَن ضَلَّ إِذَا اهْتَدَيْتُمْ

O those who believe, take care of your own selves. Those who have gone astray cannot harm you, if you are on the right path.

These words of the verse, if looked at outwardly, sometimes are taken in the sense that it is enough for one to only take care of one's own conduct, and just correct it when necessary. This would leave out the others who may keep doing what they do - there was no need to think about that. Such thinking is contrary to a great many very clear statements of the Qur'an where Bidding the Fair (*al-amr bil-ma'rūf*) and Forbidding the Unfair (*al-nahy 'anil-munkar*) has been declared to be an important duty in Islam and a singular distinction of the Muslim community. When this verse was revealed, some people faced doubts. The Holy Prophet صلى الله عليه وسلم clarified by saying that the verse was not contradictory to the injunctions regarding the Bidding of the Fair. If they were to leave the mission of Bidding the Fair, they will be answerable for that. Therefore, Sayyidnā Sa'īd ibn Jubayr has, in his Tafsīr of the Verse as reported in Al-Baḥr Al-Muḥīt, said: Keep doing what your religion obligates you with, which includes *Jihād* and *Al-amr bil-ma'rūf* (Bidding the Fair). If, even after doing all this, those who remain astray could bring no loss on you. A little deliberation in the words: إِذَا اهْتَدَيْتُمْ (if you are on the right path) of the Qur'an itself makes this explanation all the more clear as the converse of it shows that one who has abandoned the duty of Bidding the Fair is obviously not on the right path.

Reported in Tafsīr Al-Durr Al-Manthūr, is an event relating to Sayyidnā 'Abdullāh ibn 'Umar رضى الله عنه. Someone mentioned before him a serious dispute between certain people he named who were calling each other *Mushriks* (polytheists). Sayyidnā Ibn 'Umar said: Do you think I am going to tell you to go and fight them? Never. Go, talk to them softly. If they listen, fine. If not, stop worrying about them. Get busy taking care of your own selves. After having said that, it was

this very verse that he recited as the confirmation of his answer to their statement.

Sayyidnā Abū-Bakr رضى الله عنه on Checking of Sins

Sensing the doubt generated by a surface view of the words of the verse, Sayyidnā Abū-Bakr رضى الله عنه said in a *Khutbah* (address): You people recite this verse and use it out of context - that *Al-amr bil-Ma'rūf* (Bidding the Fair) is not required. Understand it very clearly that I have myself heard the Holy Prophet صلى الله عليه وسلم say that people who see a sin being committed and do not try to stop it (to the best of their ability) then, it is likely that they too are seized by the divine punishment alongwith the actual sinners.

This narration is there in Tirmidhī and Ibn Mājah. However, the words in Abū Dāwūd appear as follows: those who see an oppressor oppressing and do not stop him from his oppression (to the best of their ability), then, Allah Ta'ālā will seize everyone in punishment.

The Meaning of *Ma'rūf* and *Munkar*

From the details given earlier, we know that it is the duty of a Muslim that he should do what he can to check what is not permissible, or, at the least, show his dislike for it. Let us now find out what is *Ma'rūf* and *Munkar*.

The word, *Ma'rūf* is from *Ma'rifah* and the word, *Munkar* is from *Inkār*. *Ma'rifah* means to know, and to understand and recognize something after deliberation. In contrast, there is *Inkār* which means not to know, and not to understand and recognize something. These words are taken to be antonyms. The Holy Qur'an says: يَعْرِفُونَ نِعْمَتَ اللَّهِ ثُمَّ يُنْكِرُونَهَا (16:83). It means that they recognize the blessings of Allah by seeing the manifestations of His perfect power, but thereafter they deny them as if they do not know them. This tells us that, lexically, *Ma'rūf* signifies something well-recognized while *Munkar* refers to something unrecognized. Keeping this congruity in view, Imām al-Rāghib al-Iṣfahānī has, in his *Mufradāt al-Qur'an*, given the meaning of *Ma'rūf* and *Munkar* as used in the terminology of the Shari'ah. According to him, *Ma'rūf* refers to what is known to be good in the light of reason (*Aql*) and revelation (*Shar'*). And *Munkar* means what is strange and unrecognized, that is, what is taken as bad. Therefore, *Al-Amr bil Ma'rūf* comes to

mean bidding toward the Fair, while, *Nahy 'anil-Munkar* signifies forbidding from the Unfair.

There is nothing Legally Unfair in the sayings of the *Mujtahid Imāms*

But here, the use of the words, *Ma'rūf* and *Munkar*, in place of sin and reward or obedience and disobedience, may perhaps be indicating towards the possibility that there can be two opinions in matters which are deep and in problems which require *Ijtihād* due to brevity or ambiguity left in the Qur'ān and Sunnah - the basis on which sayings of Muslim jurists (*fuqahā'*) differ - therefore, they are excluded from this scope. The brilliance of *Ijtihād* done by the great *Mujtāhid Imāms* is an accepted fact among scholars and jurists of Muslim *Ummah*. If two views are different about a religious problem, none of them can be considered to be censurable in Shari'ah¹ (*al-munkar ash-Shar'i*). In fact, both the sides are included under *Ma'rūf*. In such problems, a person who considers one opinion weightier does not have the right to reject and censure the other in the manner it is done in the case of sin. This is the reason why, despite many differences in matters of *Ijtihad* and opposing opinions, it has not been reported anywhere that the noble *Saḥābah* and *Tābi'īn* ever called each other sinners. Debates, dialogues, polemics - they had all that. They presented their point of view, explained the reasons for their preference and did not hesitate in questioning what others had to say. But, nobody took anyone to be a sinner just because of this difference of opinion.

To put it briefly, it can be said that on occasions where *Ijtihādi* difference exists, every knowledgeable person (having the optimum subject knowledge) has the choice to take a side which is weightier in his sight. This much he can do. But, no one has the right to reject and censure what someone else has done by taking it as *Munkar* (evil and sinful). From here we learn that all those writings which spread mu-

1. It must be noted here that the author is referring to the views expressed by the competent *mujtahids* who are equipped with deep knowledge of the Holy Qur'ān and Sunnah and have expressed their *bona fide* view after doing their best to reach the truth. Conversely, if an incompetent person, lacking the standard of knowledge required for *ijtihad*, declares a view based on his whims and conjectures, his view cannot be taken as a view based on *ijtihad*, therefore, he cannot claim immunity from '*Nahy 'anil munkar*'. (Muhammad Taqi Usmani)

tual hatred and hostility in *Ijtihādī* problems and issues are not included under the purview of *Al-Amr bil-Ma'rūf* or *Nahy 'anil-Munkar* (Bidding the Fair and Forbidding the Unfair). Opening a war front on the basis of such religious issues can only be because of unawareness or ignorance.

Verses 106 - 108

يَا أَيُّهَا الَّذِينَ آمَنُوا شَهَادَةُ بَيْنِكُمْ إِذَا حَضَرَ أَحَدَكُمُ الْمَوْتُ
حِينَ الْوَصِيَّةِ اثْنِ ذَوَا عَدْلٍ مِّنْكُمْ أَوْ آخَرَيْنِ مِمَّنْ غَيْرُكُمْ إِن
أَنْتُمْ ضَرَرْتُمْ فِي الْأَرْضِ فَأَصَابَتْكُمْ مُصِيبَةُ الْمَوْتِ
تَحْسِبُونَهُمَا مِنْ بَعْدِ الصَّلَاةِ فَيُقْسِمَنِ بِاللَّهِ إِنِ ارْتَبْتُمْ
لَا نَشْتَرِي بِهِ ثَمَنًا وَلَوْ كَانَ ذَا قُرْبَىٰ ۖ وَلَا نَكْتُمُ شَهَادَةَ اللَّهِ
إِنَّا إِذَا لِمِنَ الْأَثِمِينَ ﴿١٠٦﴾ فَإِنْ عَثَرَ عَلَىٰ أَنَّهُمَا اسْتَحَقَّا
إِثْمًا فَأَخْرَجْنِ يَقُومِنِ مَقَامَهُمَا مِنَ الَّذِينَ اسْتَحَقَّ عَلَيْهِمُ
الْأُولَىٰ ۖ فَيُقْسِمَنِ بِاللَّهِ لَشَهَادَتُنَا أَحَقُّ مِنْ شَهَادَتِهِمَا وَمَا
اعْتَدَيْنَا ۖ إِنَّا إِذَا لِمِنَ الظَّالِمِينَ ﴿١٠٧﴾ ذَلِكَ أَدْنَىٰ أَنْ يَأْتُوا
بِالشَّهَادَةِ عَلَىٰ وَجْهِهَا أَوْ يَخَافُوا أَنْ تُرَدَّ أَيْمَانُ بَعْدَ أَيْمَانِهِمْ
وَاتَّقُوا اللَّهَ وَاسْمَعُوا ۖ وَاللَّهُ لَا يَهْدِي الْقَوْمَ الْفَاسِقِينَ ﴿١٠٨﴾

O those who believe, when death draws near one of you, that is, at the time of making a will, the evidence (recognized) between you shall be of two witnesses from among you, or of two others not from you if you are traveling on the earth and the trauma of death visits you. (Then) you shall detain them after the prayer, if you have some doubt, and they shall swear by Allah, "We shall not take a price for it, even if there be a relative. And we shall not conceal the evidence, (a due) of Allah, in which case we should certainly be among the sinners." [106]

Then, if it is discovered that the two had rendered themselves liable to a sin, then in their place shall

stand two others closest of those whose right has been taken away, and they shall swear by Allah, "Our evidence is more truthful than their evidence, and we have not transgressed, in which case we should be among the unjust." [107] Thus it is more likely that they will bear witness in its proper way, or they will fear that oaths will be taken in rebuttal of their oaths. And fear Allah and listen. And Allah does not lead the sinning people to the right path. [108]

Sequence of Verses

Prior to this, there were injunctions relevant to religious considerations. Now some injunctions relevant to worldly considerations have been mentioned. The hint given is that the way Allah Ta'ālā, in His mercy, helps His servants with better life in the Hereafter, He also takes care of better sustenance for them in the present world. (Bayān al-Qur'an)

The Background of Revelation

The event in the background of the revelation of the cited verses is that Budayl, a Muslim accompanied by Tamīm and 'Adiyy, who were Christians at that time, travelled to Syria on a business visit. After reaching Syria, Budayl became sick. He made out a list of his things in writing and put it in his baggage. He did not inform his companions of the trip about it. When his sickness became serious, he called his Christian trip companions and made a will before them that they should deliver everything to his heirs. When they returned, they delivered everything to them. But, they took out a silver bowl which was polished with gold, or had gold inlay work on it, from the belongings. When the heirs found the list of things in the baggage left for them by the deceased, they asked the caretakers of the will if the deceased had sold something from the property, or was he very sick which may have compelled him to make unusual expenses. They answered their inquiry in the negative. Finally, the case came up for hearing before the Holy Prophet ﷺ. Since the heirs had no witnesses, the two Christians were put under oath. They declared that they had neither committed any breach of trust in what belonged to the deceased, nor had they hidden any of his things. In the end, based on the oath, the verdict was given in their favour. After the passage of some time, it

was found that the two of them had sold that bowl to a goldsmith in Makkah. When asked, they said that they had bought it from the deceased. Since they had no witnesses at the time of purchase, they pleaded, they did not mention it earlier lest they be falsified.

The heirs of the deceased appealed in the court of the Holy Prophet صلى الله عليه وسلم. Now, contrary to the earlier situation, the executors of the will were claiming to have purchased the missing item while the heirs were denying it. In view of the absence of evidence, two persons closest of the deceased gave a sworn statement that the bowl was owned by the deceased and that the two Christians were liars in their oath. So, the amount of money for which they had sold it (1,000 Dirhams) was made to be handed over to the heirs.

Commentary

These verses are meant to give general instructions to the Muslims with regard to making will before death. The advice given is that the will should be evidenced by witnesses, so that they may prove the will in case of a dispute after the death of the testator. It has also been advised that two pious Muslims are chosen for witnessing the will. However, if the Muslim witnesses are not available, non-Muslim witnesses may also serve the purpose. The words 'two witnesses from you' signify the preference of Muslim witnesses, but the following words 'or of two others not from you' point out to the permissibility of non-Muslim witnesses.

Then, the words "if you have some doubt" refers to a situation where the legal heirs of the deceased have a claim against the executors of the will, as in the case of Budayl the heirs claimed that a bowl of silver was delivered by the deceased to the executors. Since, in this case the heirs are the plaintiffs, they should produce witnesses to prove their claim, but on their failure to do so, the defendants, i.e. the trustees are required to declare on oath that they did not commit any breach of trust. For that purpose, the Holy Qur'an advises the judge by saying, 'you shall detain them after the prayer, and they shall swear.

Although it is not legally compulsory to take this oath in the mosque after a prayer, yet the Holy Qur'an has advised to take oath after a prayer, so that the sanctity of time and place may further persuade the people to give a truthful statement.

In the next verse the Holy Qur'an says, "Then, if it is discovered that the two had rendered themselves liable to a sin..." It means that they had given a false evidence, as in the case of Budayl they themselves admitted that the bowl was purchased by them which implied that the property of Budayl contained a bowl and their earlier testimony was false. At this stage they claimed that they had purchased the bowl from Budayl. They should have substantiated this claim by witnesses, but they failed to do so, therefore, the oath was given to the legal heirs of Budayl that no such sale took place to the best of their knowledge. It is this oath of the heirs which has been mentioned in the verse by saying, "then, in their place shall stand two others closest of those whose right has been taken away and they shall swear by Allah..."

Some Rulings

1. The person with whom the deceased leaves his or her property in trust with the request that it be given to someone is called *Waṣiyy* (authorized guardian, executor, trustee, caretaker; plural: *Awṣiyā'*). A *Waṣiyy* can be one individual, or more.

2. That a *Waṣiyy* should be Muslim and just, is better but not necessary, no matter whether the will is being made in journey or at home.

3. In a dispute, the complainant is called the *Mudda'ī* (plaintiff) while the other party is *Mudda'ā'alayh* (respondent).

4. Witnesses from the Plaintiff are taken first. If he presents them as recognized under the legal norms set by the Shari'ah of Islam, the case is decided in his favour. If he cannot do that, the Respondent is put on oath and the case is decided in his favour. However, if he denies it, the Plaintiff wins the case.

5. Taking oath at a particular time or place in order to make it more emphatic, as done in the cited verse, depends on the opinion of the judge - it is not required compulsorily. Its compulsory nature is not proved from this verse too, while the converse is proved from other verses and *Hadīth* reports.

The Witness of a *Kāfir* is Acceptable in the case of another *Kāfir*

In the opening words of the verse (106): **يَا أَيُّهَا الَّذِينَ آمَنُوا شَهَادَةُ بَيْنِكُمْ** translated as : 'when death draws near one of you, that is, at the time of making a will, the evidence (recognized) between you shall be of two just witnesses from among you, or of two others not from you,' Muslims have been commanded that at the time death draws near one of them, they should appoint two good and just men from among them as their *Wasiyy* (executor of the will), and if they do not have such people from their own, then, they can have two others (that is, from disbelievers).

It is from here that Imām Abū Ḥanīfah has deduced the ruling that the witness given by disbelievers for each other is permissible. Since the witness of the disbelievers has been declared permissible in the case of Muslims in this verse, as obvious from : **أَوْ الْغَيْرِ مِنْكُمْ** : (or of two others not from you), so the witness of disbelievers for each other is permissible as more suited. But, later on, the witness of the disbelievers for Muslims was abrogated under the authority of the verse: **وَاسْتَشْهِدُوا شَهِيدَيْنِ مِنْ رَجَالِكُمْ** (And have two witnesses from among your men - 2:282). But, the evidence of disbelievers for each other remains valid as it was. (Qurtubī & Al-Aḥkām Al-Qur'ān by Jaṣṣaṣ)

The support for the position of Imām Abū Ḥanīfah also comes from what a *Hadīth* says about a Jew who had committed *Zinā* (adultery). His people smeared his face with black soot and produced him before the Holy Prophet صلى الله عليه وسلم. Looking at his condition, he asked for the reason. They told him that the man had committed adultery (*Zinā*). After hearing the testimony of the witnesses, he gave orders that he be stoned to death (*Rajm*). (Jaṣṣaṣ)

Two Words, Two Rules

1. The word, **تَحْبِطُهَا** (You shall detain them) in the context of this verse (106) tells us that a person who (genuinely) owes something to someone (having the right of return), the later can have him detained for the retrieval of his right, if and when needed. (Qurtubī)

2. The word, "*Ṣalāh*" in : **مِنْ بَعْدِ الصَّلَاةِ** (after the prayer) means the *Ṣalāh* or prayer of '*ʿAṣr*'. That this time has been chosen is because the people of the Book held it in esteem. Telling a lie at this time was particularly prohibited among them. This tells us that the placing of the

restriction of special time or place for taking a solemn and sacred oath (*Taghlīz*) is permissible. (Qurṭubī)

Verses 109 - 110

يَوْمَ يَجْمَعُ اللَّهُ الرُّسُلَ فَيَقُولُ مَاذَا أُجِبْتُمْ قَالُوا لَا عِلْمَ لَنَا
 إِنَّكَ أَنْتَ عَلَّامُ الْغُيُوبِ ﴿١٠٩﴾ إِذْ قَالَ اللَّهُ يٰعِيسَى ابْنُ
 مَرْيَمَ اذْكُرْ نِعْمَتِي عَلَيْكَ وَعَلَىٰ وَالِدَتِكَ إِذْ أَيَّدْتُكَ بِرُوحِ
 الْقُدُسِ ۖ تُكَلِّمُ النَّاسَ فِي الْمَهْدِ وَكَهْلًا ۖ وَإِذْ عَلَّمْتُكَ الْكِتَابَ
 وَالْحِكْمَةَ وَالتَّوْرَةَ وَالْإِنْجِيلَ ۖ وَإِذْ تَخْلُقُ مِنَ الطِّينِ كَهَيْئَةِ
 الطَّيْرِ بِإِذْنِي فَتَنْفُخُ فِيهَا فَتَكُونُ طَيْرًا بِإِذْنِي ۖ وَتُبْرِئُ الْأَكْمَةَ
 وَالْأَبْرَصَ بِإِذْنِي ۖ وَإِذْ تُخْرِجُ الْمَوْتَىٰ بِإِذْنِي وَإِذْ كَفَفْتُ بَنِي
 إِسْرَءِيلَ عَنْكَ إِذْ جِئْتَهُم بِالْبَيِّنَاتِ فَقَالَ الَّذِينَ كَفَرُوا مِنْهُمْ إِنْ
 هَٰذَا إِلَّا سِحْرٌ مُّبِينٌ ﴿١١٠﴾

(Remember) the day Allah will assemble the messengers and will say to them, "How were you responded to?" They will say, "we have no knowledge. Surely You alone have the full knowledge of all that is unseen."

[109]

When Allah will say, "O 'Īsā, son of Maryam, remember My blessing upon you and upon your mother, when I supported you with the Holy Spirit. You spoke to the people when in the cradle and while middle-aged. And when I taught you the Book and the Wisdom, and the Torah and the Injīl. And when you created from the clay something in the shape of a bird, then you blew in it, and it became a bird with My will; and you cured the born-blind and the leper with My will; and when you raised the dead with My will. And when I kept the children of Isrā'īl away from you when you came to them with clear signs and the disbelievers among them said, "this is nothing but a clear magic." [110]

The Linkage of Verses

Earlier, mention was made of various injunctions. In between came inducements to put these in practice alongwith warnings against opposing them. Now it is to re-emphasize the approach that people are reminded of the frightening happenings of the Day of *Qiyāmah* so that obedience is promoted and antagonism is checked. This is the prevailing style of the Holy Qur'ān. Then, towards the closing stages of the Sūrah, there is that dialogue with the people of the Book which has also appeared earlier through several verses where the purpose is to acquaint the people of the Book with facts about Sayyidnā 'Īsā عليه السلام, facts which affirm his being a servant of Allah and negate the erroneous ascribing of godhood to him (though, the actual locale of this address will be the Last Day of *Qiyāmah*).

Commentary

The First Question Asked of Prophets عليهم السلام on the Last Day

Verse 109 opens with the statement: *يَوْمَ يَجْمَعُ اللَّهُ الرُّسُلَ* (Remember) the day Allah will assemble the messengers' which is ominous. Though the day of *Qiyāmah* will be the Day of Doom when all human beings born from the beginning to the end shall be standing on open grounds. Human beings, no matter what their region, country or time, shall all be present on those grounds and there will come that hour of ultimate reckoning for a whole life-time of deeds. But, in the statement quoted above, mentioned particularly are the blessed prophets whom Allah will assemble on that day of reckoning. The sense is that, as for assembling, the whole world will be assembled, but the first question asked will be from the prophets, may peace be upon them all - so that the whole creation of Allah may see that, on that day, no one is exempted from reckoning. Then, the question asked of the prophets will be: *مَاذَا أُجِبْتُمْ* (How were you responded to?). It means when you invited your communities towards Allah and His true religion, how did they react to your call. Did they act as they were commanded to? Or, did they say no to the call and opposed it?

Though the question will be addressed to the prophets, but it would really be beamed at their communities. In other words, the prophets will be the first ones to testify about the good or bad deeds done by their communities. And for them this would be a trying time,

for, on their part, they would be hoping for the intercession of their prophets to rescue them from this nerve shattering experience, while, on the other hand, there would come this question addressed to their prophets themselves requiring them to explain the conduct of their communities. Under such circumstances, it is obvious that prophets would never say anything but the truth, so the criminals and sinners will have apprehensions that the prophets themselves will become witnesses to their wrong-doings. Who, then, they would wonder, was now left to intercede on their behalf?

The answer that the prophets will give will be: قُلْنَا لَا عِلْمَ لَنَا بِإِنِّكَ أَنتَ عَلَّامُ الْغُيُوبِ (We have no knowledge. Surely You have the full knowledge of all that is unseen).

The Removal of a Doubt

As for the people of every community who were born after passing away of their prophets from this world, this answer given by the prophets is correct and clear in that they are unaware of the actual state of their faith and deeds - because no one has the knowledge of the unseen except Allah. But, the question arises with regard to the great majority of people within the community, who professed belief at the hands of their prophet as a result of his work among them, and proved that they kept following before their eyes what they were asked to follow. Similarly, there were disbelievers who did not listen to the prophets, even treated them with hostility. How would it be correct to say about them that 'we have no knowledge of their faith and deeds.'? It appears in Tafsīr Al-Baḥr Al-Muḥīt that Imām Rāzī has answered this doubt by saying: There are two separate things here. One is *ʿIlm* which means perfect certitude, while the other is *Zann* which means conjecture or weighty likelihood. And it is obvious that if a person can, despite his being sitting next to the other person, testify about his faith and deed, then, it will be on no other basis but that of *Zann* or conjecture or likelihood. Otherwise, real faith (*ʾĪmān*) is a secret of the heart which no one can find out with any certitude without a Divine revelation. Every religious community had their groups of hypocrites who obviously did profess faith and did follow what they were commanded to follow. But, their hearts had no faith in them nor they had the real feeling and drive for carrying out those commands. All they

had was hypocrisy. But, like all laws, religious laws too were applied on what was visible from the outside. Anyone who called himself a believer, followed Divinely ordained laws, and no word or deed from him or her stood proved against faith and belief, was a good believer in the sight of the prophets and their believing communities. Whether someone was a true believer at heart, or simply a hypocrite, it did not count for they had no choice in the matter. Therefore, it was said by the Holy Prophet صلى الله عليه وسلم:

نَحْنُ نَحْكُمُ بِالظَّوَاهِرِ وَاللَّهُ مُتَوَلَّى السَّرَائِرِ

We judge on the basis of outward deeds while Allah is (Himself) the custodian of the secrets (of the hearts).

Under this rule, the noble prophets, their deputies and the learned could confirm, at least in the mortal world, that someone was a true believer as based on their favourable opinion deduced from his outward deeds. But, that mortal world where everything revolved round opinions and conjectures is all gone. This is the *Yowm al-Hashr*, the fateful day of Resurrection when the dead shall rise and where things will be sorted out and realities will be unfolded. Criminals will stand on trial. People will witness against them. If they do not confess, other witnesses will be brought in, very special, and very official witnesses. With mouths and tongues silenced, the wrong-doer's hands and legs and the skin will be asked to testify. They will tell everything about what they did: *الْيَوْمَ نَخْتِمُ عَلَى أَفْوَاهِهِمْ وَتُكَلِّمُنَا أَيْدِيهِمْ وَتَشْهَدُ أَرْجُلُهُمْ بِمَا كَانُوا يَكْسِبُونَ* (That Day We shall set a seal on their mouths while their hands will speak to Us, and their feet bear witness, to all that they did -36:65). Human beings will then surely find out that parts of their own body could also act as secret service agents when summoned to do so by the Lord of the universes. After such disarming testimony no denial will remain possible.

In short, that would be a state of being in which no judgement will be based on opinion, estimate and conjecture. Instead, certitude will be the order of the day. And as we have just seen that no one has the real knowledge about anyone's faith and belief except Allah, therefore, when the prophets will be asked on the day of Resurrection: *مَاذَا أُجِبْتُمْ* (How were you responded to?), they would recognize the reality behind the question, that the question is not being asked in the world of our

experience where it could be answered by conjecture, instead, that question was being asked in the horrendous scenario of the Day of Resurrection where nothing other than certitude was going to work. Therefore, their answer: 'We have no knowledge' about it, that is, they do not have that certain knowledge needed to answer the question, is right and correct.

The Answer Shows the Affection Prophets have for People

We now know that the prophets did have some opinion about the acceptance or rejection of their call by their communities and knew facts about their obedience or disobedience. On that basis, they could have at least mentioned their apparent attitude as part of their answer to the question - and could have referred the certainty in knowledge to the sole domain of Almighty Allah. But, what we see here is that the prophets said nothing about what they knew, nor did they mention any events which had passed before them. They simply resigned these to the Divine knowledge and chose to remain silent.

This was a great demonstration of consideration. Prophets are very affectionate to their people, and to the creation of Allah in general. They would not elect to say something as an adverse comment against their community on their own, lest their people are in trouble. If they had to say so, they would. But, here they had the excuse of not having certain knowledge. Using this legitimate excuse to their advantage, they could have avoided saying anything against their communities - and so they did.

Five Questions on the Day of Resurrection

Opened through this verse is a window to *Qiyāmah*, the fateful Day of Doom. Stationed there on the grandstands of reckoning are the highest and the dearest of Allah, His noble messengers and prophets, all in awe and reverence. Think of them and think of what would be happening to others. Therefore, we should start worrying about that Day right from this day. This little time of our life is a blessing in our hands and should be devoted to getting ready for the ultimate accounting. In a *Ḥadīth* of Tirmidhī, the Holy Prophet صلى الله عليه وسلم is reported to have said:

لَا تُرْزَلُ قَدَمَا ابْنِ آدَمَ يَوْمَ الْقِيَامَةِ حَتَّى يُسْئَلَ عَنْ خَمْسٍ: عَنْ عَمَلِهِ فِيمَا

أَفَنَاهُ وَعَنْ شَبَابِهِ فِيمَا أَبْلَاهُ وَعَنْ مَالِهِ مِنْ أَيْنَ اكْتَسَبَهُ وَآيْنَ أَنْفَقَهُ وَ مَاذَا عَمِلَ بِمَا عَلِمَ .

No son of Adam will move a step on the Day of *Qiyāmah* until he is asked five questions: (1) About his age: In what did he use it up? (2) And about his youth: In what did he spend it? (3) And about his wealth: From where did he earn it? (4) And where did he spend it? (5) And what was it that he did following that which he knew?

Great is the mercy and affection of Allah Ta'ālā. He puts us to a test and He Himself tells His people about the questions asked during the test. The task was done by the Holy Prophet صلى الله عليه وسلم who told his *Ummah* how to appear in this test. Now, for them, there is nothing left to do but to resolve these questions, find their answers and solutions and keep that preserved (for the day of trial). So, if someone still fails, even after being told what will be in the test, fairly in advance, who else could be more deprived than him?

A Particular Question Asked from Sayyidnā 'Īsā

The first verse (109) referred to prophets in general where a question was asked and its reply was given. In the second verse (100), and after that, in all the nine verses appearing through the end of the *Sūrah*, the text talks about Sayyidnā 'Īsā, the last prophet of the Banī Isrā'īl, and mentions some blessings of Allah on him. A particular question asked from him on the Day of Resurrection (*Al-Maḥshar*) along with its answer has also been mentioned which follows in verses coming next.

The purpose of the question asked and the answer given is to show this disturbing sight to Banī Isrā'īl and to the entire creation. When on the plains of the *Ḥashr*, the one who is called, The Spirit of Allah (*Ruḥullāh*) and The Word of Allah (*Kalimatullāh*) is asked the question as to why did his people make him a partner of God, he would be upset despite his being a great prophet and would hasten to plead his being free from what his followers did, not in one way, but in more than one. First he said: سُبْحَانَكَ مَا يَكُونُ لِي أَنْ أَقُولَ مَا لَيْسَ لِي بِحَقِّ (Pure are You, it does not behove me to say what is not right for me - 116).

Then, he pleads his innocence from another angle when he makes

Almighty Allah his witness and says: 'Had I said it, You would have known it. You know what is in my heart and I do not know what is in Your's. You alone have the full knowledge of what is unseen - 116.' After this overture, he answers the main question.

The Answer given by Sayyidnā 'Īsā before His Lord

His answer was that he had taught his people precisely what he was commanded to teach, that is: **اَنِ عِبُدُوا اللَّهَ رَبِّي وَرَبَّكُمْ** (Worship Allah, my Lord and your Lord - 117). Then, after this teaching, as long as he lived among those people, he was a witness to what they said and did (upto that time, none of them said things like that about him). Then, after he was raised by his Lord towards Him, these people remained under His watch, and it is He who knew their words and deeds fully and truly.

The Mention of Special Blessings on Sayyidnā 'Īsā

Before these verses where questions asked and their answers given by Sayyidnā 'Īsā have been mentioned, special blessings which were bestowed upon him as his miracles have also been described (110). Thus, by bringing the bestowal of blessings and the scenario of answerability in juxtaposition, both groups of Banī Isrā'īl have been admonished, one of which insulted, accused and harrassed him while the other took him as God or son of God. By describing the blessings, the first group has been admonished while, by mentioning the questions and answers, it is the second group which has been warned. The detailed description of blessings which appears in many verses has one sentence which is worth special consideration, the sentence where it is said: **تَكَلَّمَ النَّاسُ فِي الْمَهْدِ وَكَهْلًا** (You spoke to the people when in the cradle and while middle-aged). In other words, a special miracle given to Sayyidnā 'Īsā عليه السلام was that he talked to people in a state when he is a child, and he also does that in a state when he is middle-aged.

As for the first spectacle, it is obvious that it is a miracle and certainly a special blessing of Allah. In the early post-birth stage, children cannot talk (meaningfully). If a child were to start talking in the cradle or on the laps of the mother, that would be a particular distinction of the child. As for talking 'while middle-aged,' it does not seem to be worth mentioning, for everyone talks at this age. But, for a moment, think of the conditions surrounding Sayyidnā 'Īsā and you will

realize that this too was a miracle - because Sayyidnā 'Īsā عليه السلام was raised from the earth before reaching middle-age. Now that he would talk to people on the earth after reaching his middle-age can become possible only when he returns to this world - as is the collective belief of Muslims which stands proved on the basis of clear statements of the Qur'an and Sunnah. It is from here that we find out that in the manner it was a miracle of Sayyidnā 'Īsā that he talked when a child, so in the same manner, talking while middle-aged because of his return to this world is nothing but a miracle.

Verses 111 - 115

وَإِذْ أُوحِيَ إِلَى الْخَوَارِجِ أَنْ اٰمِنُوا بِى وَرِسُوْلِىْ قَالُوْا اٰمَنَّا
وَاَشْهَدُ بِاَنَّا مُسْلِمُوْنَ ﴿١١١﴾ اِذْ قَالَ الْخَوَارِجُوْنَ لِعِيسٰى ابْنِ
مَرْيَمَ هَلْ يَسْتَطِيعُ رَبُّكَ اَنْ يُنْزِلَ عَلَيْنَا مَائِدَةً مِّنَ السَّمَاءِ
قَالَ اتَّقُوا اللّٰهَ اِنْ كُنْتُمْ مُّؤْمِنِيْنَ ﴿١١٢﴾ قَالُوْا نُرِيْدُ اَنْ تَاْكُلَ
مِنْهَا وَتَطْمَئِنَّ قُلُوْبُنَا وَنَعْلَمَ اَنْ قَدْ صَدَقْتُنَا وَعَلَيْهَا
مِنَ الشَّهِيْدِيْنَ ﴿١١٣﴾ قَالَ عِيسٰى ابْنُ مَرْيَمَ اللّٰهُمَّ رِنَّا اَنْزِلْ
عَلَيْنَا مَائِدَةً مِّنَ السَّمَاءِ تَكُوْنُ لَنَا عِيْدًا وَّلَا وِلْنَا وَآخِرُنَا وَاٰيَةً
مِّنْكَ وَاَرْزُقْنَا وَاَنْتَ خَيْرُ الرَّزٰقِيْنَ ﴿١١٤﴾ قَالَ اللّٰهُ اِنِّىْ مُنْزِلُهَا
عَلَيْكُمْ فَمَنْ يَكْفُرْ بَعْدُ مِنْكُمْ فَاِنِّىْ اُعَذِّبُهُ عَذَابًا لَا اُعَذِّبُهُ
اَحَدًا مِّنَ الْعٰلَمِيْنَ ﴿١١٥﴾

And when I enjoined upon the disciples, "Believe in Me and in My Messenger," they said, "We believed. And be witness that we are the submitting ones." [111]

When the disciples said, "O 'Īsā son of Maryam, can your Lord send down to us spread stands of 'Mā'idah' (a sheet generally spread on the floor to serve food; also used to mean food so served) from the heavens?" He said, "Fear Allah if you are believers." [112] They said, "We want that we eat from it, and our hearts be satisfied, and we may know for sure that you have told us

the truth, and we may become witnesses to it." [113] 'Īsā son of Maryam said, "O Allah, our Lord, send down to us spread from heaven which may be a happy occasion for us for all our generations present and future, and a sign from you, and give us provisions. And You are the best Giver of provisions." [114]

Allah said, "I am going to send it down to you; but whoever from you disbelieves after that, I shall give him a punishment I shall not give to anyone in the worlds." [115]

Commentary

A True Believer Should Not Demand Miracles

When the disciples of Sayyidnā 'Īsā asked him to make 'Mā'idah' (food-spread) come down from the heavens, he replied by saying: قَالَ اتَّقُوا اللَّهَ إِنْ كُنْتُمْ مُؤْمِنِينَ (Fear Allah if you are believers). This tells us that it does not behove a faith-bearing servant of Allah that he should test Him by making such requests. Rather than demand what is supernatural, he should seek things, like sustenance, through sources naturally appointed for him.

The Better the Blessing, the Worse the Curse of Ingratitude

From the words of the verse 115: فَإِنَّهُ أَعَذَّبَ عَذَابًا لَا أَعَذِّبُهُ أَحَدًا مِنَ الْعَالَمِينَ (I shall give him a punishment I shall not give to anyone in the worlds), we learn that in situations when the blessing of Allah is extra-ordinary and unique, the emphasis on the gratitude for it should be far above the ordinary. As for the punishment of ingratitude, that too will be extra-ordinary and unique.

Whether or not the 'Mā'idah' (food-spread) came down from the heaven is something commentators differ in. The majority of them hold that it did. Accordingly, it has been reported from Sayyidnā 'Ammār ibn Yāsir as in a *Ḥadīth* of Tirmidhī, that 'Mā'idah' did come from the heavens which included bread and meat. It also appears in this *Ḥadīth* that some of those people committed a breach of trust, and put it off for the next day as well. As a result, they were transformed into monkeys and swines. (May Allah keep us protected from His wrath). This very *Ḥadīth* also tells us that they ate from it as they wanted to do as mentioned in the word, 'na'kulū' (we eat) - however, storing it for future use was prohibited. (Bayān al-Qur'ān)

Verses 116 - 118

وَإِذْ قَالَ اللَّهُ يُعِيسَى ابْنُ مَرْيَمَ ءَأَنْتَ قُلْتَ لِلنَّاسِ اتَّخِذُونِي
وَأُمَّيَّ إِلَٰهَيْنِ مِنْ دُونِ اللَّهِ ۖ قَالَ سُبْحٰنَكَ مَا يَكُونُ لِي أَنْ
أَقُولَ مَا لَيْسَ لِي بِحَقٍّ ۖ إِنْ كُنْتُ قُلْتُهُ فَقَدْ عَلِمْتَهُ ۖ تَعْلَمُ
مَا فِي نَفْسِي وَلَا أَعْلَمُ مَا فِي نَفْسِكَ ۖ إِنَّكَ أَنْتَ عَلٰمُ الْغُيُوبِ
﴿١١٦﴾ مَا قُلْتُ لَهُمْ إِلَّا مَا أَمَرْتَنِي بِهِ أَنْ اْعْبُدُوا اللَّهَ رَبِّي
وَرَبَّكُمْ ۖ وَكُنْتُ عَلَيْهِمْ شَهِيدًا مَّا دُمْتُ فِيهِمْ ۖ فَلَمَّا تَوَفَّيْتَنِي
كُنْتُ أَنْتَ الرَّقِيبَ عَلَيْهِمْ ۖ وَأَنْتَ عَلَى كُلِّ شَيْءٍ شَهِيدٌ ﴿١١٧﴾
إِنْ تُعَذِّبْهُمْ فَإِنَّهُمْ عِبَادُكَ ۖ وَإِنْ تَغْفِرْ لَهُمْ فَإِنَّكَ أَنْتَ الْعَزِيزُ
الْحَكِيمُ ﴿١١٨﴾

And when Allah said, "O 'Isā son of Maryam, did you say to the people: Take me and my mother as gods beside Allah?" He said, "Pure are You, it does not behove me to say what is not right for me. Had I said it, You would have known it. You know what is in my heart and I do not know what is in Your's. You alone have the full knowledge of all that is unseen. [116] I have not said to them anything but what You have ordered me to, that is, 'Worship Allah, my Lord and your Lord' and I was a witness over them as long as I was with them. But when You picked me up You were the One watching over them. And You are a witness over everything. [117]

If You punish them, they are Your slaves. And if You forgive them, You are the Mighty, the Wise." [118]

Commentary

Important Notes

1. In the first verse (116), the question asked and the answer given by Sayyidnā 'Isā عليه السلام establishes that Allah alone has the full knowledge of everything, therefore, He is not asking Sayyidnā 'Isā because He does not know. In fact, the purpose is to admonish his people who call them Christians that the one they are taking to be god is him-

self confessing to his servitude quite contrary to the belief they hold - and that he is free of all their accusations. (Ibn Kathīr)

2. About the sentence: **فَلَمَّا تَوَفَّيْتَنِي كُنْتُ أَنْتَ الرَّقِيبُ عَلَيْهِمْ** (And when You picked me up You were the One watching over them) in verse 117, a detailed discussion of the subject of the 'death' or 'having been raised toward Allah' has appeared in the Commentary on Sūrah Āl-'Imrān under verse 3:55: **إِنِّي مُتَوَقِّعُكَ وَرَأِيعُكَ** (I am to take you in full and lift you towards Me). It may be seen there [Ma'ariful-Qur'an, English Translation, Volume II, pages 76-81]. As for using the verse 117 (**فَلَمَّا تَوَفَّيْتَنِي** : *falamma tawaffaitanī*) to reject his ascension to heavens and to establish his natural death is not a sound inference, because the time of this conversation shall be the day of *Qiyāmah* - and at that time, after he has descended down from the heaven, he would have had his natural and real death. Therefore, as reported by Ibn Kathīr on the authority of a narration from Sayyidnā Abū Mūsā al-Ash'arī, the Holy Prophet صلى الله عليه وسلم said: On the day of *Qiyāmah*, the prophets and their communities will be summoned. Then, Sayyidnā 'Īsā will be called. Then, Allah Ta'ālā will remind him of His blessings and drawing him closer, He will say, 'O 'Īsā son of Maryam: **أَذْكُرُ نِعْمَتِي عَلَيْكَ وَعَلَىٰ وَالِدَتِكَ** : Remember My blessing upon you and upon your mother.' Then, in the end, He would say: **يٰعِيسَى ابْنَ مَرْيَمَ ءَأَنْتَ قُلْتَ لِلنَّاسِ اتَّخِذُونِي وَأُمِّي آلِهَتَيْنِ مِثْلَ اللَّهِ** (O 'Īsā son of Maryam, did you say to the people: Take me and my mother as gods beside Allah?). Sayyidnā 'Īsā will deny it saying that he did not. Then, the question will be asked from the Christians. They will say, 'yes, this is what he had ordered us to do.' After that, they will be driven towards Hell.

3. As for the statement beginning with the words: **إِنْ تُعَذِّبُهُمْ فَإِنَّهُمْ عَبْدُكَ** (If You punish them, they are Your slaves ...) appearing in the last verse (118), it means that Allah does not bring undue hardship on His servants, therefore, if punishment does come to them, it will only be just, right and wise. And should He forgive them, then, this forgiveness too will not be a matter of not being able to do otherwise - because He is Mighty, fully-capable and overpowering, from whose reach and control no wrong-doer can escape. And since He is Wise too, therefore, it is also not possible that He would let a wrong-doer walk away just for no reason. Thus, the Divine verdict in the case of wrong-doers will be absolutely wise and masterly. Since this saying of Sayyidnā 'Īsā عليه

السلام will take place in the *Maḥshar* (the day of Resurrection) - where no intercession on behalf of the disbelievers, or appeal of mercy for them, will be entertained - therefore, Sayyidnā 'Isā عليه السلام has not referred to the Divine attributes of *Ghaḥūrur-Raḥīm* (the Most-Forgiving, the Very-Merciful) in place of "*Al-'Azīz Al-Ḥakīm*" (the Mighty, the Wise) of the text. This stands in contrast with what Sayyidnā Ibrāhīm عليه السلام had said to his Lord during his life in this world: رَبِّ إِنَّهُمْ أَضَلُّنَا كَثِيرًا مِّنَ النَّاسِ فَصْنُ بَعْنِي فَإِنَّهُ مِنِّي وَمَنْ عَصَانِي فَإِنَّكَ غَفُورٌ رَّحِيمٌ (That is, O my Lord, these [idols] have made many of the people go astray. Henceforth, whoever has followed me is one of mine. And whoever has disobeyed me, so then, You are the Most-Forgiving, the Very-Merciful - 14:36). It means that the likelihood still exists that Allah may, in His mercy, give them the *Tauḥīq* later on to repent and return to the path of truth and thereby forgive their sins. (Shabbār Aḥmad Usmānī - Notes)

Ibn Kathīr reports a narration from Sayyidnā Abū Dharr رضى الله عنه that once the Holy Prophet صلى الله عليه وسلم spent a whole night reciting one single verse. And that verse was: إِنْ تُعَذِّبُهُمْ فَإِنَّهُمْ عِبَادُكَ (If You punish them, then, they are Your slaves - 118). When morning came, I said: Yā Rasūl Allāh, you kept reciting just this verse. You made your *Rukū'* with it and you made your *Sujūd* with it, right upto this break of dawn. He said: I prayed to my *Rabb* to bless me with the station of intercession (*Shafā'ah*), which He granted. *Inshallāh*, it is going to be for one who has never associated anyone with Allāh Ta'ālā.

According to another narration, after reciting the verse cited above, he raised his hands facing the heaven and said: اَللّٰهُمَّ اُمَّتِيْ (Allahumma Ummatī) that is, 'O Allāh, mercy - mercy on my people.' And then he wept. Thereupon, Allāh Ta'ālā sent angel Jibrā'īl to ask why would he weep. He told the angel what he had said. Then, Allāh Ta'ālā asked angel Jibrā'īl to go back and tell Muḥammad صلى الله عليه وسلم that He will please him soon in his concern for his people and will not let him be unhappy.

Verses 119 - 120

قَالَ اللَّهُ هَذَا يَوْمُ يَنْفَعُ الصَّادِقِينَ صِدْقُهُمْ لَهُمْ جَنَّاتٌ تَجْرِي
مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا أَبَدًا رَضِيَ اللَّهُ عَنْهُمْ وَرَضُوا

عَنْهُ ذَلِكَ الْفَوْزُ الْعَظِيمُ ﴿١١٩﴾ لِلَّهِ مُلْكُ السَّمَوَاتِ وَالْأَرْضِ
وَمَا فِيهِنَّ ۖ وَهُوَ عَلَىٰ كُلِّ شَيْءٍ قَدِيرٌ ﴿١٢٠﴾

Allah said, "This is a day the truth of the truthful shall bring benefit to them. For them are gardens beneath which rivers flow where they shall be living for ever. Allah is pleased with them and they are pleased with Him. That is the great achievement. [119]

To Allah belongs the kingdom of the heavens and the earth and of whatever lies therein. And He is powerful over everything. [120]

The Linkage of Verses

The first two sections (*Rukū'*) appearing earlier describe some of the happenings on the day of *Qiyāmah* such as the reckoning, the questions and their answers. Mentioned now is the outcome of the probe and reckoning of that fateful day.

Commentary

Notes

1. Verse 119 opens with the words: قَالَ اللَّهُ هَذَا يَوْمُ يَنْفَعُ الصَّادِقِينَ صِدْقُهُمْ (Allah said, "This is a day the truth of the truthful shall bring benefit to them). Generally, what is according to what has happened is called truth while that which is not according to what has happened is referred to as false or a lie. But, according to the Qur'an and Sunnah, *ṣidq* (truth) and *kidhb* (lie) are general, that is, they refer to both words and deeds. As such, given here is a *Hadīth* in which counter-factual deed has been called *kidhb* (lie): مَنْ تَحَلَّى بِمَا لَمْ يُعْطَ كَانَ كَلَّاسٍ يُؤْمِنُ زُورًا [that is, whoever adorns himself (or herself) with what has not been given to him (or her) (that is, claims a quality or deed not in him or her) then, it is as if he has put on two garbs of a lie - Mishkāṭ].

There is another *Hadīth* in which one who makes Ṣalāh with care and concern, whether in public or in private, has been called a true servant of Allah:

إِنَّ الْعَبْدَ إِذَا صَلَّى فِي الْعَلَانِيَةِ فَاحْسَنَ وَصَلَّى فِي الْبَيْتِ فَاحْسَنَ قَالَ اللَّهُ

تَعَالَى هَذَا عَبْدِي حَقًّا

A person who performs Ṣalāh openly, then, does it well; and when performs it in private, then, does it well, then, Allah Ta'ālā says: 'This is My servant - in truth.' - Mishkāṭ.

2. About the statement: رَضِيَ اللَّهُ عَنْهُمْ وَرَضُوا عَنْهُ (Allah is pleased with them, and they are pleased with Him - 119), it appears in *Ḥadīth* that, after having blessed true believers with *Jannah* (Paradise), Allah Ta'ālā will say: The real blessing is that I am pleased with you and now I shall never be displeased with you.
3. The words appearing after that are: ذَلِكَ الْفَوْزُ الْعَظِيمُ (That is the great achievement). Indeed, so it is. When *Allah Jalla Sha'nuhu*, the Master, the Creator is pleased with you, what else could it be?

فَلِلَّهِ الْحَمْدُ أَوَّلَهُ وَآخِرُهُ

All praises are for Allah from the beginning to the end.

The Commentary

on

Sūrah Al-Mā'idah

ends here.